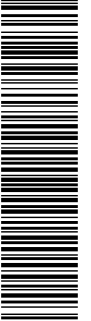


An act to amend Sections 1240, 2574, 8202.6, 8210, 8211, 14041.5, 17199.4, 17199.5, 17375, 33050, 35186, 41203.1, 41544, 42238.03, 44258.9, 46120, 47606.5, 48000, 48310, 49501.5, 52052, 52062, 52064, 52064.5, 52065, 52066, 52068, 52070, 52070.5, 52071, 52071.5, 52074, 56195.1, 56836.148, 60642.7, and 60900.5 of, to add Sections 42238.024, 49414.6, 52072.1, 52072.6, and 52073.5 to, to repeal Section 42238.053 of, and to repeal and add Sections 52072 and 52072.5 of, the Education Code, to amend the Budget Act of 2022 (Chapters 43, 45, and 249 of the Statutes of 2022) by amending Items 6100-001-0001 and 6100-172-0001 of Section 2.00 of that act, and to amend Sections 129, 132, 133, 134, and 137 of Chapter 52 of the Statutes of 2022, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

SECURITY COPY



THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1240 of the Education Code is amended to read:

1240. The county superintendent of schools shall do all of the following:

(a) Superintend the schools of that county.

(b) Maintain responsibility for the fiscal oversight of each school district in that county pursuant to the authority granted by this code.

(c) (1) Visit and examine each school in the county at reasonable intervals to observe its operation and to learn of its problems. The county superintendent of schools annually may present a report of the state of the schools in the county, and of the county office of education, including, but not limited to, observations from visiting the schools, to the board of education and the board of supervisors of the county.

(2) (A) (i) Commencing with the 2021–22 fiscal year, the Superintendent shall identify a list of schools, which shall include charter schools, for which the county superintendent, or a designee, shall inspect annually, and about which the county superintendent, or a designee, shall submit an annual report, at a regularly scheduled November board meeting, to the governing board of each school district under the jurisdiction of the county superintendent, the county board of education of that county, and the board of supervisors of that county, that describes the state of the schools in the county. After the initial list is established in the 2021–22 fiscal year, the Superintendent shall identify the list of these schools again in the 2022–23 fiscal year, and then every three fiscal years thereafter, during the same fiscal year that schools are identified for comprehensive support and improvement or additional targeted support and improvement pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), or any subsequent amendments to that act. Each list shall be established in accordance with clause (ii), and shall be used for inspections beginning the following fiscal year.

(ii) The list of schools pursuant to clause (i) shall be compiled as follows:

(I) The Superintendent shall include on the list all schools identified for comprehensive support and improvement and additional targeted support and improvement pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), or any subsequent amendments to that act. For the 2021–22 fiscal year and until a new list of federally identified schools is established, the Superintendent shall use the list of schools identified in the 2019–20 fiscal year for comprehensive support and improvement and for additional targeted support and improvement.

(II) The Superintendent shall include on the list all schools where 15 percent or more of the teachers are holders of a permit or certificate, such as a temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. Data to create this list shall be gathered from the department's teacher assignment monitoring outcome data, pursuant to Section 44258.9.

(III) The list of schools compiled pursuant to clause (i) shall exclude alternative schools within the meaning of subdivision (d) of Section 52052 and other schools



accepted for participation in the Dashboard Alternative School Status program by the department.

(iii) The annual report shall include the determinations for each school made by the county superintendent, or the county superintendent's designee, regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, and the county superintendent, or the county superintendent's designee, shall use a standardized template to report the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, unless the current annual report being used by the county superintendent, or the county superintendent's designee, already includes those details with the same level of specificity that is otherwise required by this subdivision.

(B) The county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco shall contract with another county office of education or an independent auditor to conduct the required visits and make all reports required by this paragraph.

(C) On a quarterly basis, the county superintendent, or the county superintendent's designee, shall report the results of the visits and reviews conducted that quarter to the governing board of the school district at a regularly scheduled meeting held in accordance with public notification requirements. The results of the visits and reviews shall include the determinations of the county superintendent, or the county superintendent's designee, for each school regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9. If the county superintendent, or the county superintendent's designee, conducts no visits or reviews in a quarter, the quarterly report shall report that fact.

(D) The visits made pursuant to this paragraph shall be conducted at least annually and shall meet the following criteria:

- (i) Minimize disruption to the operation of the school.
- (ii) Be performed by individuals who meet the requirements of Section 45125.1.
- (iii) Consist of not less than 25 percent unannounced visits in each county. During unannounced visits in each county, the county superintendent shall not demand access to documents or specific school personnel. Unannounced visits shall only be used to observe the condition of school repair and maintenance, and the sufficiency of instructional materials, as defined by Section 60119.

(E) The priority objective of the visits made pursuant to this paragraph shall be to determine the status of all of the following circumstances:

- (i) Sufficient textbooks, as defined in Section 60119 and as specified in subdivision (i).
- (ii) The condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff, as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72.
- (iii) The accuracy of data reported on the school accountability report card with respect to the availability of sufficient textbooks and instructional materials, as defined by Section 60119, and the safety, cleanliness, and adequacy of school facilities, including good repair, as required by Sections 17014, 17032.5, 17070.75, and 17089.



(F) The county superintendent may make the status determinations described in subparagraph (E) during a single visit or multiple visits. In determining whether to make a single visit or multiple visits for this purpose, the county superintendent shall take into consideration factors such as cost-effectiveness, disruption to the schoolsite, deadlines, and the availability of qualified reviewers.

(G) If the county superintendent determines that the condition of a facility poses an emergency or urgent threat to the health or safety of pupils or staff as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72, or is not in good repair, as specified in subdivision (d) of Section 17002 and required by Sections 17014, 17032.5, 17070.75, and 17089, the county superintendent, among other things, may do any of the following:

(i) Return to the school to verify repairs.

(ii) Prepare a report that specifically identifies and documents the areas or instances of noncompliance if the school district has not provided evidence of successful repairs within 30 days of the visit of the county superintendent or, for major projects, has not provided evidence that the repairs will be conducted in a timely manner. The report may be provided to the governing board of the school district. If the report is provided to the school district, it shall be presented at a regularly scheduled meeting held in accordance with public notification requirements. The county superintendent shall post the report on the internet website of the county superintendent. The report shall be removed from the internet website when the county superintendent verifies the repairs have been completed.

(d) Distribute all laws, reports, circulars, instructions, and blanks that the county superintendent may receive for the use of the school officers.

(e) Annually, on or before September 15, present a report to the governing board of the school district and the Superintendent regarding the fiscal solvency of a school district with a disapproved budget, qualified interim certification, or a negative interim certification, or that is determined to be in a position of fiscal uncertainty pursuant to Section 42127.6.

(f) Keep in the office of the county superintendent the reports of the Superintendent.

(g) Keep a record of the official acts of the county superintendent and of all the proceedings of the county board of education, including a record of the standing, in each study, of all applicants for certificates who have been examined, which shall be open to the inspection of an applicant or an authorized agent of the applicant.

(h) Enforce the course of study.

(i) (1) Enforce the use of state textbooks and instructional materials and of high school textbooks and instructional materials regularly adopted by the proper authority in accordance with Section 51050.

(2) For purposes of this subdivision, sufficient textbooks or instructional materials has the same meaning as in subdivision (c) of Section 60119.

(3) (A) Commencing with the 2022–23 school year, if a school is identified as specified in subparagraph (A) of paragraph (2) of subdivision (c), the county superintendent specifically shall review that school at least annually as a priority school. A review conducted for purposes of this paragraph shall be completed by the fourth week of the school year.



(B) In order to facilitate the review of instructional materials before the fourth week of the school year, the county superintendent in a county with 200 or more schools that are identified as specified in subparagraph (A) of paragraph (2) of subdivision (c) may use a combination of visits and written surveys of teachers for the purpose of determining sufficiency of textbooks and instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined in subdivision (c) of Section 60119. If a county superintendent elects to conduct written surveys of teachers, the county superintendent shall visit the schools surveyed within the same academic year to verify the accuracy of the information reported on the surveys. If a county superintendent surveys teachers at a school in which the county superintendent has found sufficient textbooks and instructional materials for the previous two consecutive years and determines that the school does not have sufficient textbooks or instructional materials, the county superintendent shall, within 10 business days, provide a copy of the insufficiency report to the school district as set forth in paragraph (4).

(C) For purposes of this paragraph, “written surveys” may include paper and electronic or online surveys.

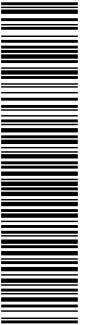
(4) If the county superintendent of schools determines that a school does not have sufficient textbooks or instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, the county superintendent shall do all of the following:

(A) Prepare a report that specifically identifies and documents the areas or instances of noncompliance.

(B) Provide within five business days of the review, a copy of the report to the school district, as provided in subdivision (c), or, if applicable, provide a copy of the report to the school district within 10 business days pursuant to subparagraph (B) of paragraph (3).

(C) Provide the school district with the opportunity to remedy the deficiency. The county superintendent shall ensure that the deficiency is remedied no later than the second month of the school term.

(D) If the deficiency is not remedied as required pursuant to subparagraph (C), the county superintendent shall request the department to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement of this subdivision. If the department purchases textbooks or instructional materials for the school district, the department shall issue a public statement at the first regularly scheduled meeting of the state board occurring immediately after the department receives the request of the county superintendent and that meets the applicable public notice requirements, indicating that the district superintendent and the governing board of the school district failed to provide pupils with sufficient textbooks or instructional materials as required by this subdivision. Before purchasing the textbooks or instructional materials, the department shall consult with the school district to determine which textbooks or instructional materials to purchase. The amount of funds necessary for the purchase of the textbooks and materials is a loan to the school district receiving the textbooks or instructional materials. Unless the school district repays the amount owed based upon an agreed-upon repayment schedule with the Superintendent, the Superintendent shall notify the Controller and the Controller shall deduct an amount equal to the total amount used to purchase the textbooks and materials from the next



principal apportionment of the school district or from another apportionment of state funds.

(j) Preserve carefully all reports of school officers and teachers.

(k) Deliver to county superintendent's successor, at the close of the county superintendent's official term, all records, books, documents, and papers belonging to the office, taking a receipt for them, which shall be filed with the department.

(l) (1) Submit two reports during the fiscal year to the county board of education in accordance with the following:

(A) The first report shall cover the financial and budgetary status of the county office of education for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be reviewed by the county board of education and approved by the county superintendent no later than 45 days after the close of the period being reported.

(B) As part of each report, the county superintendent shall certify in writing whether or not the county office of education is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for two subsequent fiscal years. The certifications shall be classified as positive, qualified, or negative, pursuant to standards prescribed by the Superintendent, for purposes of determining subsequent state agency actions pursuant to Section 1240.1. For purposes of this subdivision, a negative certification shall be assigned to a county office of education that, based upon current projections, will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year. A qualified certification shall be assigned to a county office of education that may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to a county office of education that will meet its financial obligations for the current fiscal year and subsequent two fiscal years. In accordance with those standards, the Superintendent may reclassify a certification. If a county office of education receives a negative certification, the Superintendent, or the Superintendent's designee, may exercise the authority set forth in subdivision (d) of Section 1630. Copies of each certification, and of the report containing that certification, shall be sent to the Superintendent at the time the certification is submitted to the county board of education. Copies of each qualified or negative certification and the report containing that certification shall be sent to the Controller at the time the certification is submitted to the county board of education.

(2) All reports and certifications required under this subdivision shall be in a format or on forms prescribed by the Superintendent, and shall be based on standards and criteria for fiscal stability adopted by the state board pursuant to Section 33127. The reports and supporting data shall be made available by the county superintendent to an interested party upon request.

(3) This subdivision does not preclude the submission of additional budgetary or financial reports by the county superintendent to the county board of education or to the Superintendent.

(4) The county superintendent is not responsible for the fiscal oversight of the community colleges in the county, however, the county superintendent may perform financial services on behalf of those community colleges.



(5) A county office of education having a negative or qualified certification, or classified as qualified or negative by the Superintendent, shall continue to be classified as qualified or negative until the next report required under this subdivision is filed.

(m) If requested, act as agent for the purchase of supplies for the city and high school districts of that county.

(n) For purposes of Section 44421.5, report to the Commission on Teacher Credentialing the identity of a certificated person who knowingly and willingly reports false fiscal expenditure data relative to the conduct of an educational program. This requirement applies only if, in the course of normal duties, the county superintendent discovers information that gives the county superintendent reasonable cause to believe that false fiscal expenditure data relative to the conduct of an educational program has been reported.

(o) If any activities authorized pursuant to this section are found to be a state reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution, funding provided for school districts and county offices of education pursuant to Sections 2574, 2575, 42238.02, and 42238.03 shall be used to directly offset any mandated costs.

SEC. 2. Section 2574 of the Education Code is amended to read:

2574. For the 2013–14 fiscal year and for each fiscal year thereafter, the Superintendent annually shall calculate a county local control funding formula for each county superintendent of schools as follows:

(a) Compute a county office of education operations grant equal to the sum of each of the following amounts:

(1) Six hundred fifty-five thousand nine hundred twenty dollars (\$655,920).

(2) One hundred nine thousand three hundred twenty dollars (\$109,320)

multiplied by the number of school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253.

(3) (A) Seventy dollars (\$70) multiplied by the number of units of countywide average daily attendance, up to a maximum of 30,000 units.

(B) Sixty dollars (\$60) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 30,000 units, up to a maximum of 60,000 units.

(C) Fifty dollars (\$50) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 60,000, up to a maximum of 140,000 units.

(D) Forty dollars (\$40) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 140,000 units.

(E) For purposes of this section, countywide average daily attendance means the aggregate number of annual units of average daily attendance within the county attributable to all school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253, charter schools authorized by school districts for which the county superintendent of schools has jurisdiction, and charter schools authorized by the county superintendent of schools.

(4) For the 2014–15 fiscal year and each fiscal year thereafter, adjust each of the rates provided in the prior year pursuant to paragraphs (1), (2), and (3) by the percentage change in the annual average value of the Implicit Price Deflator for State



and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(5) Commencing with the 2022–23 fiscal year, add one hundred seventy-five thousand dollars (\$175,000) to the amount specified in paragraph (2), as that rate was adjusted pursuant to paragraph (4).

(6) Commencing with the 2022–23 fiscal year, add fourteen dollars (\$14) to each of the amounts specified in subparagraphs (A) to (D), inclusive, of paragraph (3), as those rates were adjusted pursuant to paragraph (4).

(b) Determine the enrollment percentage of unduplicated pupils pursuant to the following:

(1) (A) For the 2013–14 fiscal year, divide the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 fiscal year by the total enrollment in those schools in the 2013–14 fiscal year.

(B) For the 2014–15 fiscal year, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 and 2014–15 fiscal years by the sum of the total enrollment in those schools in the 2013–14 and 2014–15 fiscal years.

(C) For the 2015–16 fiscal year and each fiscal year thereafter, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the current fiscal year and the two prior fiscal years by the sum of the total enrollment in those schools in the current fiscal year and the two prior fiscal years.

(D) (i) For purposes of the quotients determined pursuant to subparagraphs (B) and (C), the Superintendent shall use a county superintendent of schools' enrollment of unduplicated pupils and total pupil enrollment in the 2014–15 fiscal year instead of the enrollment of unduplicated pupils and total pupil enrollment in the 2013–14 fiscal year if doing so would yield an overall greater percentage of unduplicated pupils.

(ii) It is the intent of the Legislature to review each county office of education's enrollment of unduplicated pupils for the 2013–14 and 2014–15 fiscal years and provide one-time funding, if necessary, for a county office of education with higher enrollment of unduplicated pupils in the 2014–15 fiscal year as compared to the 2013–14 fiscal year.

(E) For purposes of determining the enrollment percentage of unduplicated pupils pursuant to this subdivision, enrollment in schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 and the enrollment of pupils other than the pupils identified in clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4) of subdivision (c), shall be excluded from the calculation of the enrollment percentage of unduplicated pupils.

(F) ~~The Notwithstanding subdivision (a) of Section 14002,~~ the data used to determine the percentage of unduplicated pupils shall be final once that data is no longer used in the current fiscal year calculation of the percentage of unduplicated



pupils. This subparagraph does not apply to a change that is the result of an audit ~~that has been appealed pursuant to Section 41344.~~ exception as described in paragraph (2) of subdivision (a) of Section 41341.

(2) For purposes of this section, an “unduplicated pupil” is a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth. For purposes of this section, the definitions in Section 42238.01 of an English learner, a pupil eligible for a free or reduced-price meal, and foster youth shall apply. A pupil shall be counted only once for purposes of this section if any of the following apply:

(A) The pupil is classified as an English learner and is eligible for a free or reduced-price meal.

(B) The pupil is classified as an English learner and is a foster youth.

(C) The pupil is eligible for a free or reduced-price meal and is classified as a foster youth.

(D) The pupil is classified as an English learner, is eligible for a free or reduced-price meal, and is a foster youth.

(3) (A) Under procedures and timeframes established by the Superintendent, commencing with the 2013–14 fiscal year, a county superintendent of schools annually shall report the enrollment of unduplicated pupils, pupils classified as English learners, pupils eligible for free and reduced-price meals, and foster youth in schools operated by the county superintendent of schools to the Superintendent using the California Longitudinal Pupil Achievement Data System.

(B) The Superintendent shall make the calculations pursuant to this section using the data submitted through the California Longitudinal Pupil Achievement Data System.

(C) The Controller shall include instructions, as appropriate, in the audit guide required by subdivision (a) of Section 14502.1, for determining if the data reported by a county superintendent of schools using the California Longitudinal Pupil Achievement Data System is consistent with pupil data records maintained by the county office of education.

(c) Compute an alternative education grant equal to the sum of the following:

(1) (A) For the 2013–14 fiscal year, a base grant equal to the 2012–13 per pupil undeficitated statewide average juvenile court school base revenue limit calculated pursuant to Article 3 (commencing with Section 2550) of Chapter 12, as that article read on January 1, 2013. For purposes of this subparagraph, the 2012–13 statewide average juvenile court school base revenue limit shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2013–14 fiscal year, the per pupil base grant shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using



the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(2) A supplemental grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the enrollment percentage calculated in subdivision (b). The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(3) (A) A concentration grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the greater of either of the following:

- (i) The enrollment percentage calculated in subdivision (b) less 50 percent.
- (ii) Zero.

(B) The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the total number of units of average daily attendance for pupils attending schools operated by a county office of education, excluding units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2, who are enrolled pursuant to any of the following:

(i) Probation-referred pursuant to Sections 300, 601, 602, and 654 of the Welfare and Institutions Code.

(ii) On probation or parole and not in attendance in a school.

(iii) Expelled for any of the reasons specified in subdivision (a) or (c) of Section 48915.

(B) Multiply the number of units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 by the sum of the base grant calculated pursuant to paragraph (1), a supplemental grant equal to 35 percent of the base grant calculated pursuant to paragraph (1), and a concentration grant equal to 17.5 percent of the base grant calculated pursuant to paragraph (1). Funds provided for the supplemental and concentration grants pursuant to this calculation shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(C) Add the amounts calculated in subparagraphs (A) and (B).

(d) Add the amount calculated in subdivision (a) to the amount calculated in subparagraph (C) of paragraph (4) of subdivision (c).

(e) Add all of the following to the amount calculated in subdivision (d):

(1) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Targeted Instructional Improvement Block Grant program, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read on January 1, 2013.

(2) (A) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Home-to-School Transportation program, as set forth in former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5 of Division 3 of Title 2, former Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2, and the Small School District Transportation program, as set forth in former Article 4.5



(commencing with Section 42290) of Chapter 7 of Part 24 of Division 3 of Title 2, as those articles read on January 1, 2013.

(B) If a home-to-school transportation joint powers agency, established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation, received an apportionment directly from the Superintendent pursuant to Item 6110-111-0001 of Section 2.00 of the Budget Act of 2012, as identified in clause (i) of subparagraph (A) of paragraph (2) of subdivision (a) of Section 2575, the joint powers agency may identify the member local educational agencies and transfer entitlement to that funding to any of those member local educational agencies by reporting to the Superintendent, on or before September 30, 2015, the reassignment of a specified amount of the joint powers agency's 2012–13 fiscal year entitlement to the member local educational agency. Commencing with the 2015–16 fiscal year, the Superintendent shall add the reassigned amounts to the amounts calculated pursuant to this paragraph.

(C) Commencing in the 2023–24 fiscal year, the add-on amounts referenced in subparagraphs (A) and (B) shall receive the annual cost-of-living adjustment specified in subparagraph (B) of paragraph (1) of subdivision (c).

SEC. 3. Section 8202.6 of the Education Code is amended to read:

8202.6. (a) (1) The Superintendent, in consultation with the Director of Social Services and the executive director of the State Board of Education, shall convene a statewide interest holder workgroup. The workgroup shall include representatives from county offices of education, contracted state preschool programs, including those operated by school districts and by community-based organizations, transitional kindergarten programs, tribal preschool programs, educators, the Commission on Teacher Credentialing, First 5, resource and referral programs, alternative payment programs, contracted general childcare programs serving preschool-age children, Head Start, private center-based preschool providers, licensed family childcare providers, researchers, and child development experts.

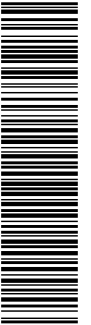
(2) The workgroup shall provide recommendations on best practices for increasing access to high-quality universal preschool programs for three- and four-year-old children offered through a mixed-delivery model that provides equitable learning experiences across a variety of settings. The workgroup shall also provide recommendations to update preschool standards pursuant to Section 8203 to support equitable access to high-quality preschool and transitional kindergarten programs through the mixed-delivery model and across all appropriate settings and funding sources.

(3) The workgroup recommendations shall be in alignment with the work of the Master Plan for Early Learning and Care, without recommending new system changes that create increased state or local costs to offer preschool across the mixed-delivery system.

(b) The workgroup pursuant to subdivision (a) shall be established no later than December 1, 2022.

(c) The Superintendent shall, in consultation with the Director of Social Services, provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than January 15, 2023; March 31, 2024.

(d) For purposes of this section, the State Department of Education may enter into exclusive or nonexclusive contracts with nongovernmental entities on a bid or



negotiated basis. A contract entered into or amended pursuant to this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(e) Notwithstanding any other law, a contracted nongovernmental entity described in subdivision (d) may subcontract as necessary in the performance of its duties, subject to approval of the Superintendent.

SEC. 4. Section 8210 of the Education Code is amended to read:

8210. (a) Each applicant or contracting agency shall give priority for part-day programs according to the following:

(1) The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child's parent or guardian to local resources and referral services so that services for the child can be located.

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the percent of funded enrollment set aside pursuant to Section 8208, the second priority for services shall be given to all three- and four-year-old children with exceptional needs from families with incomes below the income eligibility threshold, as described in Section 8213.

(B) Within this priority category, children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

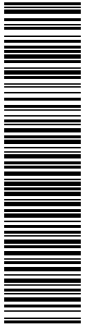
(3) (A) The third priority for services shall be given to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program. This priority shall not include children eligible pursuant to subparagraph (E) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child from a family in which the primary home language is a language other than English shall be enrolled first.

(iii) If there are no children from a family in which the primary home language is a language other than English, the child that has been on the waiting list for the longest time shall be admitted first.

(4) The fourth priority shall be given to eligible three-year-old children. This priority shall not include children eligible pursuant to subparagraph (E) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213. Enrollment determinations



within this priority category shall be made pursuant to subparagraph (B) of paragraph (3).

(5) The fifth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the eligibility income threshold, as described in Section 8213. Within this priority category, priority shall be given to three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the 10 percent of funded enrollment set aside pursuant to Section 8208, then to four-year-old children before three-year-old children without exceptional needs.

(6) After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in paragraphs (1) to (5), inclusive, the contractor may enroll the children in the following order:

(A) A California preschool program site operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with Section 8217, may enroll any three- or four-year-old children whose families reside or are employed within the attendance boundary of the qualified elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

(B) Children enrolling in the California state preschool program to provide expanded learning and care to transitional kindergarten or kindergarten pupils, pursuant to subdivision (l) of Section 48000.

(b) The Superintendent shall set criteria for, and may grant specific waivers of, the priorities established in this section for agencies that wish to serve specific populations, including children with exceptional needs or children of prisoners. These new waivers shall not include proposals to avoid appropriate fee schedules or admit ineligible families, but may include proposals to accept members of special populations in other than strict income order, as long as appropriate fees are paid.

(c) (1) Children with exceptional needs enrolled in the percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208 shall be enrolled without regard to the priorities listed in subdivision (a).

(2) Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

SEC. 5. Section 8211 of the Education Code is amended to read:

8211. (a) Each applicant or contracting agency shall give priority for full-day programs according to the following:

(1) The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused or exploited upon written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child's parent or guardian to local resources and referral services so that services for the child can be located.

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the



percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208, the second priority for services shall be given to all three- and four-year-old children with exceptional needs from families with incomes below the income eligibility threshold, described in Section 8213.

(B) Within this priority category, children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) (A) The third priority for services shall be given to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program. This priority shall not include children eligible pursuant to subparagraph (E) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child from a family in which the primary home language is a language other than English shall be enrolled first.

(iii) If there are no children from a family in which the primary home language is a language other than English, the child that has been on the waiting list for the longest time shall be admitted first.

(4) The fourth priority shall be given to eligible three-year-old children. This priority shall not include children eligible pursuant to subparagraph (E) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213. Enrollment determinations within this priority category shall be made pursuant to subparagraph (B) of paragraph (3).

(5) The fifth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213. Within this priority category, priority shall be given to three- and four-year-old children with an individualized family service plan or individualized education program, then four-year-old children before three-year-old children without an individualized family service plan or individualized education program.

(6) After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in paragraphs (1) to (5), inclusive, the contractor may enroll the children in the following order:

(A) The contractor may enroll three- and four-year-old children from families that meet eligibility criteria pursuant to paragraph (4) of subdivision (d) of Section 8208. Within this priority, contractors shall enroll families in income ranking order, lowest to highest, and within income ranking order, enroll four-year-old children before three-year-old children.

(B) For California state preschool program sites operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with Section 8217, the contractor may enroll any three- and four-year-old children whose



families reside or are employed within the attendance boundary of the qualified school without establishing eligibility or a need for services pursuant to paragraph (1) or (3) of subdivision (d) of Section 8208. These families shall, to the extent possible, be enrolled in income ranking order, lowest to highest.

(b) The Superintendent shall set criteria for, and may grant specific waivers of, the priorities established in this section for agencies that wish to serve specific populations, including children with exceptional needs or children of prisoners. These new waivers shall not include proposals to avoid appropriate fee schedules or admit ineligible families, but may include proposals to accept members of special populations in other than strict income order, as long as appropriate fees are paid.

(c) (1) Children with exceptional needs enrolled in the percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208 shall be enrolled without regard to the priorities listed in subdivision (a).

(2) Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

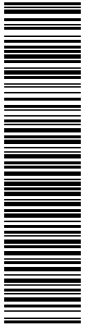
(3) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

SEC. 6. Section 14041.5 of the Education Code is amended to read:

14041.5. (a) Notwithstanding subdivision (a) of Section 14041, for the 2002–03 fiscal year to the 2013–14 fiscal year, inclusive, and for the 2019–20 to the 2020–21 fiscal year, inclusive, warrants for the principal apportionments for the month of June instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41335.

(b) Except as otherwise provided in this section, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202 for the fiscal year in which the warrants are drawn and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

(c) For the 2003–04 school year, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2004–05 fiscal year shall be seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000). Any amount in excess of seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000) that is apportioned in July of 2004 is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2003–04 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes



appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2003–04 fiscal year.

(d) For the 2004–05 school year to the 2007–08 school year, inclusive, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the following fiscal year shall be seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000). Any amount in excess of seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the prior fiscal year.

(e) For the 2008–09 school year to the 2013–14 school year, inclusive, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the following fiscal year shall be one billion one hundred one million six hundred fifty-five thousand dollars (\$1,101,655,000). Any amount in excess of one billion one hundred one million six hundred fifty-five thousand dollars (\$1,101,655,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the prior fiscal year.

(f) (1) (A) For the 2019–20 fiscal year, the amount of apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2020–21 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year shall be one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000). Any amount in excess of one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000) that is apportioned in July 2020 is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2019–20 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2019–20 fiscal year.



(B) For the 2020–21 fiscal year, the amount of apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year shall be two billion three hundred seventy-five million three hundred eight thousand dollars (\$2,375,308,000). Any amount in excess of two billion three hundred seventy-five million three hundred eight thousand dollars (\$2,375,308,000) that is apportioned in July 2021 is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2020–21 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

(2) For the 2019–20 fiscal year, the principal apportionment deferred from June to July pursuant to subdivision (a) shall be paid by the Controller no later than July 15, 2020.

(g) (1) For the 2022–23 fiscal year, six hundred thirteen million twenty-seven thousand dollars (\$613,027,000) of the amount of apportionments made pursuant to Section 14041 shall be deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2012–22 fiscal year.

(2) For the 2023–24 fiscal year, one billion two hundred million six hundred fourteen thousand dollars (\$1,200,614,000) of the amount of apportionments made pursuant to Section 14041 shall be deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

(3) For the 2023–24 fiscal year, nine million five hundred seventy-nine thousand dollars (\$9,579,000) of the amount of apportionments made pursuant to Section 14041 for the 2023–24 fiscal year shall be funded by the appropriation identified in Provision (1) of Item 6100-485 of Section 2.00 of the Budget Act of 2023.

(4) For the 2023–24 fiscal year, one hundred ninety million two hundred fifty-five thousand dollars (\$190,255,000) of the amount of apportionments made pursuant to Section 14041 shall be funded by the appropriation identified in Provision (2) of Item 6100-488 of Section 2.00 of the Budget Act of 2023.

SEC. 7. Section 17199.4 of the Education Code is amended to read:

17199.4. (a) Notwithstanding any other law, any participating party, in connection with securing financing or refinancing of projects, or working capital pursuant to this chapter, may, in accordance with this section, elect to provide for funding, in whole or in part, one or more of the following:

(1) Payments on authority bonds.

(2) Payments under credit enhancement or liquidity support agreements in connection with authority bonds.



(3) Amounts pledged or assigned under one or more pledges or assignments to pay authority bonds or obligations under these credit enhancement or liquidity support agreements.

(4) Payments to fund reserves available to pay any of the payments described in paragraphs (1), (2), and (3), exclusively until paid.

(5) Fees and charges contemplated by the instruments of the authority, trustees, tender agents, remarketing agents, credit enhancement and liquidity support providers, and service providers.

(6) Any other costs necessary or incidental to any financing or refinancing conducted under this chapter.

(b) The payments made pursuant to subdivision (a) may be in connection with a financing or refinancing benefiting the participating party itself, one or more other participating parties, or any combination of participating parties.

(c) To participate under this section, the participating party shall do all of the following:

(1) Elect to participate in a state intercept or local intercept, or both, by an action of its governing board taken in compliance with the rules of that board. For a local intercept, the participating party shall send to the county treasurer, or other appropriate county fiscal officer, a request for the county to participate. A county is not required to participate. A county may agree to participate as evidenced by an agreement among the participating party or parties, the county, and the authority.

(2) Provide written notice to the Controller, with respect to a state intercept, or to the county treasurer or other appropriate county fiscal officer, with respect to a local intercept, no later than the date of the issuance of the bonds or 60 days before the next payment, whichever is later, of all of the following:

(A) Its election to participate.

(B) A schedule of the payments subject to that election.

(C) The payee or payees of those payments, or the trustee or agent on their behalf to receive those payments.

(D) (i) Payment delivery instructions, which may be by wire transfer or other method approved by the ~~Controller~~. Controller or county treasurer or other appropriate county fiscal officer, as applicable.

(ii) If the method of payment delivery is wire transfer, the participating party shall complete and submit the appropriate authorization form as prescribed by the ~~Controller~~. Controller or the county treasurer or other appropriate county fiscal officer, as applicable.

(d) The participating party may amend, supplement, or restate the notice required pursuant to paragraph (2) of subdivision (c) for any reason, including, but not necessarily limited to, providing for new or increased payments. The participating party shall certify in the notice and in any amendment, supplement, or restatement of the notice that each and every payment reflected in the schedule is a payment described in subdivision (a) and the amounts scheduled do not exceed the actual or reasonably estimated payment obligations to be funded pursuant to this section. The participating party shall also represent in the notice that it is not submitting the notice for the purpose of accelerating a participating party's receipt of its apportionments. This section does not prohibit transfer by the recipient of an apportionment under this section to the participating party submitting the notice of the excess apportionment above the amount



needed to fund actual payments where the excess resulted from erroneous estimation of scheduled payments or otherwise.

(e) Upon receipt of the notice required by paragraph (2) of subdivision (c), the Controller shall make an apportionment to the indicated recipient on the date, or during the period, shown in the schedule in accordance with all of the following:

(1) If the participating party requests transfers in full as scheduled, in the amount of the scheduled transfer or such whatever lesser amount as is available from the sources described in subdivision (f).

(2) If the participating party does not request transfers in full as scheduled, in the amount of the anticipated deficiency for the purpose of making the required payment indicated in a written request of the participating party to the Controller and in the amount of the actual shortfall in payment indicated in a written request of the recipient or the participating party to the Controller or whatever lesser amount is available from the sources described in subdivision (f).

(3) To the extent funds available for an apportionment are insufficient to pay the amount set forth in a schedule in any period, the Controller shall, if and as requested in the notice, reschedule the payment of all or a portion of the deficiency to a subsequent period.

(4) In making apportionments under this section, the Controller may rely conclusively and without liability on any notice or request delivered under this section, including any notice of request delivered before January 1, 2015. The Controller may make, but is not obligated to make, apportionments not reflected on a notice or on an amended, supplemented, or restated notice delivered under this section that the Controller receives less than 20 days before when the apportionment would otherwise be required.

(f) The Controller shall make an apportionment under this section only from moneys designated for apportionment to the participating party delivering the notice, and only from one or more of the following:

(1) Any funding apportioned by the state for purposes of revenue limits or the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, or state categorical or grant programs, to a school district or county office of education without regard to the specific funding source of the apportionment.

(2) Any funding apportioned by the state for purposes of the charter school block grant or the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, or state categorical or grant programs, to a charter school without regard to the specific funding source of the apportionment.

(3) Any funding apportioned by the state for purposes of revenue limits or community college apportionments pursuant to Sections 84750.4 and ~~84750.5~~ 84750.5, or state categorical or grant programs, to a community college district without regard to the specific funding source of the apportionment.

(g) Upon receipt of the notice required by paragraph (2) of subdivision (c), a county treasurer or other appropriate county fiscal officer shall make an apportionment or revenue transfer to the indicated recipient on the date, or during the period, shown in the schedule in accordance with all of the following:

(1) If the participating party requests transfers in full as scheduled, in the amount of the scheduled transfer or whatever lesser amount is available from the sources described in subdivision (h).



(2) If the participating party does not request transfers in full as scheduled, in the amount of the anticipated deficiency for the purpose of making the required payment indicated in a written request of the participating party to the county treasurer or other appropriate county fiscal officer and in the amount of the actual shortfall in payment indicated in a written request of the recipient or the participating party to the county treasurer or other appropriate county fiscal officer or whatever lesser amount is available from the sources described in subdivision (h).

(3) To the extent funds available for an apportionment or revenue transfer are insufficient to pay the amount set forth in a schedule in any period, the county treasurer or other appropriate county fiscal officer shall, if and as requested in the notice, reschedule the payment of all or a portion of the deficiency to a subsequent period.

(4) In making apportionments under this section, the county treasurer or other appropriate county fiscal officer may rely conclusively and without liability on any notice or request delivered under this section. The county treasurer or other appropriate county fiscal officer may make, but is not obligated to make, apportionments or revenue transfers not reflected on a notice or on an amended, supplemented, or restated notice delivered under this section that the county treasurer or other appropriate county fiscal officer receives less than 20 days before when the apportionment would otherwise be required.

(h) The county treasurer or other appropriate county fiscal officer shall make an apportionment or revenue transfer under this section only from moneys designated for apportionment to the participating party delivering the notice, and only from one or more of the following:

(1) Any funding apportioned or administered by a county for purposes of revenue limits or the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, to a school district or county office of education without regard to the specific funding source of the apportionment.

(2) Any funding apportioned or administered by a county for purposes of the charter school block grant or the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, to a charter school without regard to the specific funding source of the apportionment.

(3) Any funding apportioned or administered by a county for purposes of revenue limits or community college apportionments pursuant to Sections 84750.4 and 84750.5 to a community college district without regard to the specific funding source of the apportionment.

~~(g)~~

(i) (1) The amount apportioned for a participating party pursuant to this section shall be deemed to be an allocation to the participating party, and shall be included in the computation of allocation, limit, entitlement, or apportionment for the participating party.

(2) The participating party and its creditors do not have a claim to funds apportioned or anticipated to be apportioned by the Controller or the county treasurer or appropriate county fiscal officer, as applicable, pursuant to this section.

~~(h)~~

(j) (1) The authority may require participation under this section under the terms of any financing or refinancing under this chapter to provide for one or more of the payments described in paragraphs (1) to (4), inclusive, of subdivision (a). The authority



may impose limits on new participation under this section. The authority may require participating parties to apply to the authority for participation. If the authority limits participation under this section, the authority shall consider each of the following priorities in making participation available:

(A) First priority shall be given to participating parties that apply for funding for instructional classroom space under this chapter.

(B) Second priority shall be given to participating parties that apply for funding of modernization of instructional classroom space under this chapter.

(C) Third priority shall be given to participating parties that apply for funding under this chapter for any other eligible costs, as defined in Section 17173.

(2) The authority shall prioritize applications at appropriate intervals.

(3) A school district electing to participate under this section that has applied for revenue bond moneys for purposes of joint venture school facilities construction projects, pursuant to Article 5 (commencing with Section 17060) of Chapter 12, shall not be subject to the priorities set forth in paragraph (1).

(i)

(k) This section does not make the State of California liable for any payments within the meaning of Section 1 of Article XVI of the California Constitution.

(j)

(l) A school district that has a qualified or negative certification pursuant to Section 42131, or a county office of education that has a qualified or negative certification pursuant to Section 1240, may only participate under this section to intercept payments for ~~short-term financings~~. indebtedness for which the repayment is determined to be probable pursuant to Section 42133.

(k)

(m) This section does not obligate the State of California to make available the sources of apportionment under subdivision (f) or a county to make available the sources of apportionment under subdivision (h) in any amount or at any time or, except as provided in this section, to fund any payment described in this section. This subdivision is intended solely to clarify existing law.

SEC. 8. Section 17199.5 of the Education Code is amended to read:

17199.5. Notwithstanding Section 17199.4, if the bonds were subject to a credit enhancement agreement provided by a public credit provider pursuant to Section 17193.5 for which a payment for principal or interest, or both, has been made by the public credit provider, ~~the Controller~~ Controller, or the county treasurer or other appropriate county fiscal officer, as applicable, shall allocate to the public credit provider, rather than the trustee, the percentage of the apportionment to be made pursuant to this paragraph equal to the percentage of the outstanding indebtedness ~~which that~~ is subject to the credit enhancement agreement.

SEC. 9. Section 17375 of the Education Code is amended to read:

17375. (a) (1) The California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program is hereby established, under the administration of the State Allocation Board pursuant to the requirements of this section, to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms pursuant to Section 8973, and for the construction of new preschool classrooms, the modernization of existing preschool classrooms, or



the modernization of existing kindergarten and grade 1 to 12, inclusive, classrooms that would be converted to provide California state preschool programs operated by school districts on a public schoolsite, pursuant to this section.

(2) Moneys appropriated pursuant to this section shall be deposited in the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account, hereby created in the State Treasury, administered by the State Allocation Board.

(3) For the 2018–19 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section, as it read on December 31, 2020.

(4) (A) For the 2021–22 fiscal year, the sum of four hundred ninety million dollars (\$490,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section. The funds appropriated in this subparagraph shall be available for encumbrance or expenditure by the State Allocation Board until June 30, 2027.

(B) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board to provide one-time grants as specified in this section. The funds appropriated in this subparagraph shall be available for encumbrance or expenditure by the State Allocation Board until June 30, 2028.

(C) It is the intent of the Legislature to appropriate an additional five hundred fifty million dollars (\$550,000,000) in the ~~2023–24~~ 2024–25 fiscal year from the General Fund to the State Allocation Board to provide one-time grants as specified in this section. It is the intent of the Legislature that the funds intended to be appropriated in this subparagraph will be available for encumbrance or expenditure by the State Allocation Board until June 30, 2030.

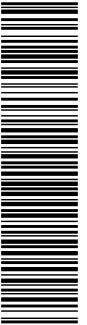
(D) (i) Of the moneys allocated to a school district from the appropriation made pursuant to this paragraph, savings and interest achieved upon full completion of an approved project, and as a result of a school district's efficient and prudent expenditure of the moneys allocated, may be used for professional development or instructional materials to build capacity for the implementation of a California state preschool program, a transitional kindergarten program, a full-day kindergarten program, or high priority capital outlay purposes identified by the school district and in accordance with subdivision (f), associated regulations, and any accompanying grant agreement.

(ii) Notwithstanding any other law, for purposes of the funds appropriated in support of this paragraph only, a school district may retain and use savings and interest pursuant to clause (i) even if it receives financial hardship assistance pursuant to Section 17075.10.

(iii) Savings and interest retained by a school district shall be expended within one year of project completion or returned to the state as required by associated regulations and any accompanying grant agreement.

(5) New school facilities built pursuant to this section shall not be included in the eligibility determination used for purposes of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10).

(b) (1) The State Allocation Board shall award grants to school districts that lack the facilities to provide transitional kindergarten or full-day kindergarten as required



for eligibility pursuant to Sections 17071.25 and 17072.10, that lack facilities that satisfy the design requirements required for new kindergarten classrooms as specified in paragraph (2) of subdivision (h) of Section 14030 of Title 5 of the California Code of Regulations, or that lack the facility capacity to increase California state preschool program services.

(2) Priority for grants shall be given to school districts that meet either of the following criteria:

(A) The school district is financially unable to contribute a portion of, or all of, the local matching share required pursuant to paragraph (3) for a project, and meets the requirements for financial hardship pursuant to Sections 17075.10 and 17075.15. For purposes of this section, paragraph (5) of subdivision (d) of Section 17075.15 shall not apply.

(B) (i) For school districts seeking a transitional kindergarten or full-day kindergarten facilities grant, the school district is located in an underserved community with a high population of pupils who are eligible for free or reduced-price meals pursuant to subdivision (a) of Section 42238.01.

(ii) For school districts seeking a preschool facilities grant, the school district is located in an underserved area, as defined in Section 8205, that is prioritized to receive funds for the California state preschool program according to the prioritization process described in Section 8210.

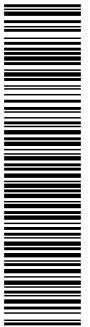
(3) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10 and as specified in paragraph (4), a school district that applies for a grant pursuant to this section for new construction shall provide 50 percent of the cost of the project, and a school district that applies for a grant pursuant to this section for a retrofit project shall provide 40 percent of the cost of the project.

(4) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10, a school district shall provide 25 percent of the cost of the project, whether the project is for new construction or retrofit, if the school district does either of the following:

(A) Converts a part-day kindergarten program to a full-day kindergarten program. A school district that was awarded a grant from funds appropriated pursuant to paragraph (3) of subdivision (a) and met the requirements of this paragraph shall have its grant amount adjusted from funds appropriated pursuant to paragraph (4) of subdivision (a) to reflect the requirements of this paragraph.

(B) Commencing with the 2021–22 fiscal year, offers, or expands enrollment in, a California state preschool program or transitional kindergarten program.

(5) (A) A school district seeking a transitional kindergarten or full-day kindergarten facilities grant from moneys in the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account shall provide the Office of Public School Construction with schoolsite enrollment data for the year in which its application is processed and the three immediately preceding years. The Office of Public School Construction shall use this data to verify the schoolsite's overall need for funding pursuant to this section based on the schoolsite's enrollment patterns. As part of this verification, the Office of Public School Construction, in consultation with the State Department of Education, shall determine if the schoolsite's need for funding shall be limited to retrofit projects.



(B) For a school district seeking a new construction grant for preschool classrooms from moneys in the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account, the school district shall demonstrate that its existing classrooms, including outdoor play areas and equipment, are insufficient to meet the needs of providing preschool, and that the school district's projected enrollment in the preschool program exceeds the current preschool program classroom capacity at the applicable schoolsite. A school district shall use both of the following to demonstrate enrollment for purposes of determining eligibility:

(i) The most recent childcare needs assessment conducted by its regional local planning council for preschool age children.

(ii) A current or future contract with the State Department of Education to operate a preschool program.

(6) A school district, county office of education, or community college district seeking a preschool facilities grant shall hold title to the real property where the facilities will be located.

(c) The State Allocation Board shall disburse grant funds to school districts with approved applications for new construction or retrofit projects, to the extent funds are available for the state's applicable matching share, if the school district has provided its applicable local matching share, unless the school district meets the requirements for financial hardship pursuant to Section 17075.10, and upon certification by the school district that the school district has entered into a binding contract for completion of the approved project.

(d) The State Allocation Board shall allocate funds to school districts using the same maximum grant eligibility amounts that are used for purposes of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10), as set forth in Sections 17072.10 and 17072.11 for new construction, and as set forth in Section 17074.10 for retrofit projects.

(e) As a condition of receiving grant funds pursuant to this section, and before the release of those funds, the school district shall do all of the following:

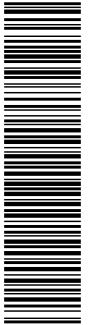
(1) Execute and submit a grant agreement consistent with the applicable sections of the grant agreement specified in Section 1859.90.4 of Title 2 of the California Code of Regulations.

(2) For a school district applying for grant funds for a transitional kindergarten facilities project, pass a resolution at a public meeting of the governing board of the school district stating the school district's intent to offer, or expand enrollment in, a transitional kindergarten program.

(3) For a school district applying for grant funds for a California state preschool program facilities project, pass a resolution at a public meeting of the governing board of the school district stating the school district's intent to expand enrollment in a preschool program and apply for expanded program service funding, and certify that the school district has or will apply for a contract to operate a preschool program before occupying the to-be-constructed or retrofitted facility.

(f) (1) A school district may use grant funds awarded for new construction on costs necessary to adequately house preschool, transitional kindergarten, and kindergarten pupils in an approved project, which shall include only the following:

(A) The costs of design, engineering, testing, inspections, plan checking, construction management, site acquisition and development, evaluation and response



action costs relating to hazardous substances at a new or existing schoolsite, demolition, construction, landscaping, necessary utility costs, utility connections and other related fees, equipment including telecommunication equipment to increase school security, furnishings, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

(B) The costs of acquiring an existing government-owned or privately owned building, or a privately financed school building, and the necessary costs of converting the government-owned or privately owned building for public school use.

(2) (A) A school district may use grant funds awarded for a retrofit project to retrofit an existing school facility to adequately house preschool, transitional kindergarten, and kindergarten pupils, which shall only include the costs of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, necessary utility costs, utility connection and other related fees, the purchase and installation of air-conditioning equipment and insulation materials and related costs, furniture and equipment, including telecommunication equipment to increase school security, fire safety improvements, playground safety improvements, the identification, assessment, or abatement of hazardous asbestos, seismic safety improvements, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

(B) Grant funds awarded for a retrofit project shall not be used for costs associated with acquisition and development of real property or for routine maintenance and repair.

(3) A school district shall not use funds to purchase or install portable classrooms. For purposes of this article, "portable classroom" means a classroom building of one or more stories that is designed and constructed to be relocatable and transportable over public streets, and for a single-story portable classroom, is designed and constructed for relocation without the separation of the roof or floor from the building and when measured at the most exterior walls, has a floor area that does not exceed 2,000 square feet.

(g) For a modernization grant pursuant to this article to retrofit an existing preschool classroom, including outdoor play areas and installed equipment, the applicable classroom shall comply with all of the following:

(1) The Field Act, as set forth in Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365).

(2) The California Building Standards Code, as set forth in Title 24 of the California Code of Regulations.

(3) The regulations for early learning and care programs as set forth in Chapter 19 (commencing with Section 18000) of Division 1 of Title 5 of, and Chapter 1 (commencing with Section 101151) of Division 12 of Title 22 of, the California Code of Regulations, as applicable.

(4) Written approval from the State Department of Education that the building plans comply with the standards set forth in Subchapter 1 (commencing with Section 14001) of Chapter 13 of Division 1 of Title 5 of the California Code of Regulations.

(h) The State Allocation Board may adopt regulations to implement this section. Any regulations adopted pursuant to this section may be adopted as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of the Title 2 of the



Government Code). The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

(i) Notwithstanding any other law, a school district shall be subject, with regard to this section, to an audit conducted pursuant to Section 41024.

(j) The Office of Public School Construction shall report to the Director of Finance, and shall post on its internet website, information regarding the use of grant funds that have been made available to school districts during each fiscal year grant funds are disbursed pursuant to this section. A final report shall also be issued after projects have been audited pursuant to Section 41024 and any savings have been spent or returned to the state.

(k) The Department of General Services may charge its administrative costs against the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account, which shall be subject to the approval of the Department of Finance and which shall not exceed 2.5 percent of the account. These administrative funds shall be subject to the encumbrance or expenditure availability for the appropriations described in paragraph (4) of subdivision (a).

(l) Funds made available to school districts pursuant to this article shall supplement, not supplant, existing funds available for school facilities construction.

(m) For purposes of this section, the following definitions apply:

(1) "Kindergarten" includes transitional kindergarten, as defined in Section 48000.

(2) "Preschool classroom" means a preschool classroom used or proposed to be used for instructional purposes in a California state preschool program.

(3) "Preschool program" means a full-day California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6.

(4) "Schoolsite" or "site" means the project site for which the school district is applying for grants under this article.

(5) "School district" means as follows:

(A) For transitional kindergarten and full-day kindergarten facilities grants, "school district" means a school district.

(B) For preschool facilities grants, "school district" means a school district, county office of education, or a community college district that operates a preschool program on behalf of, or in lieu of, a school district or county office of education.

SEC. 10. Section 33050 of the Education Code is amended to read:

33050. (a) The governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the state board to waive all or part of any section of this code or any regulation adopted by the state board that implements a provision of this code that may be waived, except:

(1) Chapter 12.5 (commencing with Section 2574) of Part 2 of Division 1 of Title 1.

(2) Article 1 (commencing with Section 15700) and Article 2 (commencing with Section 15780) of Chapter 4 of Part 10 of Division 1 of Title 1.

(3) Chapter 6 (commencing with Section 16000) of Part 10 of Division 1 of Title 1.



(4) Chapter 12 (commencing with Section 17000), Chapter 12.5 (commencing with Section 17070.10), and Chapter 14 (commencing with Section 17085) of Part 10 of Division 1 of Title 1.

(5) Part 13 (commencing with Section 22000), Part 13.5 (commencing with Section 25900), and Part 14 (commencing with Section 26000) of Division 1 of Title 1.

(6) Section 35735.1.

(7) Paragraph (8) of subdivision (a) of Section 37220.

(8) The following provisions of Part 10.5 (commencing with Section 17210) of Division 1 of Title 1:

(A) Chapter 1 (commencing with Section 17210).

(B) Article 1 (commencing with Section 17251) to Article 6 (commencing with Section 17365), inclusive, of Chapter 3.

(C) Sections 17416 to 17429, inclusive; Sections 17459 and 17462; subdivision (a) of Section 17464; and Sections 17582 to 17590, inclusive.

(9) The following provisions of Part 24 (commencing with Section 41000) of Division 3:

(A) Sections 41000 to 41360, inclusive.

(B) Sections 41420 to 41423, inclusive.

(C) Section 41544.

(D) Sections 41600 to 41863, inclusive.

(E) Sections 41930 to 42850, inclusive.

(10) Sections 44504 and 44505.

(11) Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 of Division 3 and regulations in Title 5 of the California Code of Regulations adopted pursuant to Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 of Division 3.

(12) Part 26 (commencing with Section 46000) of Division 4.

(13) The following provisions of Part 26.8 (commencing with Section 47600) of Division 4:

(A) Subdivision (i) of Section 47632.

(B) Section 47635.

(C) Section 47652.

(D) Article 6 (commencing with Section 47660) of Chapter 6.

(14) Article 1 (commencing with Section 48000) of Chapter 1 of Part 27 of Division 4.

(14)

(15) Section 48310.

(15)

(16) Section 48359.5.

(16)

(17) Chapter 6 (commencing with Section 48900) and Chapter 6.5 (commencing with Section 49060) of Part 27 of Division 4.

(17)

(18) Section 51513.

(18)

(19) Section 52163.



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~~(19)~~

~~(20)~~ The identification and assessment criteria relating to any categorical aid program, including Sections 52164.1 and 52164.6.

~~(20)~~

~~(21)~~ Sections 52165, 52166, and 52178.

~~(21)~~

~~(22)~~ Section 56364.1, except that this restriction shall not prohibit the state board from approving any waiver of Section 56364.2, relating to full inclusion.

~~(22)~~

~~(23)~~ Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, relating to the California Assessment of Student Performance and Progress (CAASPP), and any other provisions of Chapter 5 (commencing with Section 60600) of Part 33 of Division 4 that establish requirements for the CAASPP.

~~(23)~~

~~(24)~~ Part 38 (commencing with Section 65000) of Division 4.

(b) A request for a waiver submitted by the governing board of a school district or a county board of education pursuant to subdivision (a) shall include a written statement as to both of the following:

(1) Whether the exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, participated in the development of the waiver.

(2) The exclusive representative's position regarding the waiver.

(c) A request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of Division 4, which is operated by a joint powers entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

(1) Each joint waiver request shall comply with all of the requirements of this article.

(2) The submission of a joint waiver request shall be approved by a unanimous vote of the governing board of the joint powers agency.

SEC. 11. Section 35186 of the Education Code is amended to read:

35186. (a) A school district shall use the uniform complaint process it has adopted as required by Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, with modifications, as necessary, to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment.

(1) A complaint may be filed anonymously. A complainant who identifies ~~himself or herself themselves~~ is entitled to a response if ~~he or she indicates the complainant indicates~~ that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Section 48985 is otherwise applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed. All complaints and responses are public records.



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(2) The complaint form shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as ~~he or she~~ the complainant wishes.

(3) A complaint shall be filed with the principal of the school or ~~his or her~~ the principal's designee. A complaint about problems beyond the authority of the school principal shall be forwarded in a timely manner but not to exceed 10 working days to the appropriate school district official for resolution.

(b) The principal or the designee of the district superintendent, as applicable, shall make all reasonable efforts to investigate any problem within ~~his or her~~ their authority. The principal or designee of the district superintendent shall remedy a valid complaint within a reasonable time period but not to exceed 30 working days from the date the complaint was received. The principal or designee of the district superintendent shall report to the complainant the resolution of the complaint within 45 working days of the initial filing. If the principal makes this report, the principal shall also report the same information in the same timeframe to the designee of the district superintendent.

(c) A complainant not satisfied with the resolution of the principal or the designee of the district superintendent has the right to describe the complaint to the governing board of the school district at a regularly scheduled hearing of the governing board of the school district. As to complaints involving a condition of a facility that poses an emergency or urgent threat, as defined in paragraph (1) of subdivision (c) of Section 17592.72, a complainant who is not satisfied with the resolution proffered by the principal or the designee of the district superintendent has the right to file an appeal to the Superintendent, who shall provide a written report to the state board describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.

(d) A school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

(e) The procedure required pursuant to this section is intended to address all of the following:

(1) A complaint related to instructional materials as follows:

(A) A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional material to use in class.

(B) A pupil does not have access to instructional materials to use at home or after school.

(C) Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

(2) A complaint related to teacher vacancy or misassignment as follows:

(A) A semester begins and a teacher vacancy exists.

(B) A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more ~~than 20 percent~~ of English learner pupils in



the class. This subparagraph does not relieve a school district from complying with state or federal law regarding teachers of English learners.

(C) A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

(3) A complaint related to the condition of facilities that pose an emergency or urgent threat to the health or safety of pupils or staff as defined in paragraph (1) of subdivision (c) of Section 17592.72 and any other emergency conditions the school district determines appropriate and the requirements established pursuant to subdivision (a) of Section 35292.5.

(f) In order to identify appropriate subjects of complaint, a notice shall be posted in each classroom in each school in the school district notifying parents, guardians, pupils, and teachers of the following:

(1) There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.

(2) School facilities must be clean, safe, and maintained in good repair.

(3) There should be no teacher vacancies or misassignments as defined in paragraphs (2) and (3) of subdivision (h).

(4) The location at which to obtain a form to file a complaint in case of a shortage. Posting a notice downloadable from the ~~Internet Web site~~ internet website of the department shall satisfy this requirement.

(g) A local educational agency shall establish local policies and procedures, post notices, and implement this section.

(h) For purposes of this section, the following definitions apply:

(1) "Good repair" has the same meaning as specified in subdivision (d) of Section 17002.

(2) "Misassignment" means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

(3) "Teacher vacancy" means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

SEC. 12. Section 41203.1 of the Education Code is amended to read:

41203.1. (a) For the 1990–91 fiscal year and each fiscal year thereafter, allocations calculated pursuant to Section 41203 shall be distributed in accordance with calculations provided in this section. Notwithstanding Section 41203, and for purposes of this section, school districts, community college districts, and direct elementary and secondary level instructional services provided by the State of California shall be regarded as separate segments of public education, and each of these three segments of public education shall be entitled to receive respective shares of the amount calculated pursuant to Section 41203 as though the calculation made pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution were to be applied separately to each segment and the base year for purposes of this calculation



under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution were based on the 1989–90 fiscal year. Calculations made pursuant to this subdivision shall be made so that each segment of public education is entitled to the greater of the amounts calculated for that segment pursuant to paragraph (1) or (2) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(b) If the single calculation made pursuant to Section 41203 yields a guaranteed amount of funding that is less than the sum of the amounts calculated pursuant to subdivision (a), the amount calculated pursuant to Section 41203 shall be prorated for the three segments of public education.

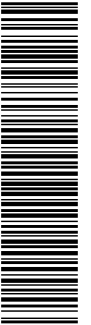
(c) Notwithstanding any other law, this section does not apply to the 1992–93 to the ~~2022–23~~ 2023–24 fiscal years, inclusive.

SEC. 13. Section 41544 of the Education Code is amended to read:

41544. (a) For a basic aid school district that was entitled to reimbursement pursuant to former Section 42247.4, as that section read on January 1, 2001, and that received an apportionment pursuant to subdivision (h) of former Section 42247.4, as that section read on January 1, 2001, because a court order directs pupils to transfer to that school district as part of the court-ordered voluntary pupil transfer program, the Superintendent, from the 2001–02 fiscal year to the 2012–13 fiscal year, inclusive, shall calculate an apportionment of state funds for that basic aid school district that provides 70 percent of the school district revenue limit calculated pursuant to former Section 42238, as that section read on January 1, 2013, that would have been apportioned to the school district from which the pupils were transferred for the average daily attendance of any pupils credited under that court order who did not attend the basic aid school district before the 1995–96 fiscal year.

(b) ~~(1)~~ For a basic aid school district that was entitled to reimbursement pursuant to former Section 42247.4, as that section read on January 1, 2001, and that received an apportionment pursuant to subdivision (h) of former Section 42247.4, as that section read on January 1, 2001, because a court order directs pupils to transfer to that school district as part of the court-ordered voluntary pupil transfer program, the Superintendent, commencing with the 2013–14 fiscal year, shall calculate an apportionment of state funds for that basic aid school district that provides 70 percent of the school district local control funding formula base grant calculated pursuant to subdivision (d) of Section 42238.02, as implemented by Section 42238.03, for the school district from which the pupils were transferred for the average daily attendance of any pupils credited under that court order who did not attend the basic aid school district before the 1995–96 fiscal year.

~~(2) Notwithstanding paragraph (1), until the Superintendent determines that the school district from which the pupil or pupils were transferred is funded pursuant to Section 42238.02, the Superintendent shall apportion, for average daily attendance credited pursuant to paragraph (1), the lesser of the amount calculated pursuant to paragraph (1) or 70 percent of the sum of the entitlements for the school district from which the pupil or pupils were transferred for the specified fiscal year as computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, divided by the average daily attendance of that school district for that fiscal year and then multiplied by the ratio of local control funding formula base grant funding computed pursuant to subdivision (d) of Section~~



42238.02 to the local control funding formula amount for that fiscal year computed pursuant to Section 42238.02.

~~(3) If the entitlements for the school district from which the pupil or pupils were transferred computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, include funding calculated pursuant to Article 4 (commencing with Section 42280) of Chapter 7 for a fiscal year, paragraph (2) shall not apply and the apportionment of state funds for the average daily attendance credited pursuant to this section for that fiscal year shall be calculated pursuant to paragraph (1).~~

(c) For purposes of subdivision (b), “basic aid school district” means a school district that does not receive from the state, for any fiscal year in which this section is applied, an apportionment of state funds pursuant to subdivision (o) of Section 42238.02.

SEC. 14. Section 42238.024 is added to the Education Code, to read:

42238.024. (a) Commencing with the 2023–24 fiscal year, the sum of three hundred million dollars (\$300,000,000) is hereby appropriated each fiscal year from the General Fund to the Superintendent for allocation for the Local Control Funding Formula Equity Multiplier apportionment in the manner and for the purposes set forth in this section. Commencing with the 2024–25 fiscal year, the amount appropriated pursuant to this subdivision shall be adjusted each fiscal year by the percentage change applied pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for that fiscal year.

(b) (1) Funds appropriated pursuant to subdivision (a) shall be made available by the Superintendent to local educational agencies for services and supports that directly benefit schoolsites eligible pursuant to paragraph (2), and shall supplement, not supplant, funding provided for purposes of the local control funding formula pursuant to Section 2574, 2575, or 42238.02 that is already designated for these schoolsite.

(2) For schoolsites offering grades no higher than grade 8 with a percentage of pupils eligible for free meals equal to or greater than 90 percent in the prior year, or schoolsites offering any grades 9 to 12, inclusive, with a percentage of pupils eligible for free meals equal to or greater than 85 percent in the prior year, funding shall be allocated on a per-unit basis of the schoolsite’s total prior year enrollment. The per-unit funding amount is based on total statewide eligible enrollment and the amount of funds available.

(3) An eligible schoolsite shall not receive funding pursuant to paragraph (2) of less than fifty thousand dollars (\$50,000).

(c) For purposes of this section, the following definitions apply:

(1) “Schoolsite” means an individual school in a local educational agency that reports average daily attendance pursuant to Section 41601 that is funded through the local control funding formula pursuant to Section 2574, 2575, or 42238.02.

(2) “Eligible for free meals” means determined to meet federal income eligibility criteria, either through completing an application for the federal National School Lunch Program or through an alternative household income data collection form, or deemed to be categorically eligible for free meals under the federal National School Lunch Program, as described in Part 245 of Title 7 of the Code of Federal Regulations.



(3) “Prior year enrollment” means enrollment reported in the California Longitudinal Pupil Achievement Data System Fall 1 Certification for the prior fiscal year.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which they are appropriated, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which they are appropriated.

SEC. 15. Section 42238.03 of the Education Code is amended to read:

42238.03. (a) Commencing with the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall calculate a base entitlement for the transition to the local control funding formula for each school district and charter school equal to the sum of the amounts computed pursuant to paragraphs (1) to (4), inclusive. The amounts computed pursuant to paragraphs (1) to (4), inclusive, shall be continuously appropriated pursuant to Section 14002.

(1) The current fiscal year base entitlement funding level shall be the sum of all of the following:

(A) For school districts, revenue limits in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 42238), as that article read on January 1, 2013, divided by the 2012–13 average daily attendance of the school district computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. A school district’s 2012–13 fiscal year revenue limit funding shall exclude amounts computed pursuant to Article 4 (commencing with Section 42280). For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year revenue limits shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) (i) For charter schools, general purpose funding in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the amount of in-lieu property tax provided to the charter school pursuant to Section 47635, as that section read on June 30, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year general purpose funding, as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(ii) The amount computed pursuant to clause (i) shall exclude funds received by a charter school pursuant to Section 47634.1, as that section read on January 1, 2013.



(C) The amount computed pursuant to subparagraph (A) shall exclude funds received pursuant to Section 47633, as that section read on January 1, 2013.

(D) For school districts, funding for qualifying necessary small high schools and necessary small elementary schools shall be adjusted to reflect the funding levels that correspond to the 2012–13 necessary small high school and necessary small elementary school allowances pursuant to Article 4 (commencing with Section 42280) and former Section 42238.146, as those provisions read on January 1, 2013.

(2) (A) Entitlements from items contained in Section 2.00, as adjusted pursuant to Section 12.42, of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding for the Class Size Reduction Program pursuant to former Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915. The entitlement for basic aid school districts shall include the reduction of 8.92 percent as applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2014–15 fiscal year, the entitlements identified in subparagraph (A) shall be adjusted to reflect the exclusion of one-time redevelopment agency liquid asset recovery revenue, pursuant to Section 34179.5 and following, of the Health and Safety Code, before the application of the 8.92-percent reduction applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

(3) The allocations pursuant to Sections 42606 and 47634.1, as those sections read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05.

(4) The amount allocated to a school district or charter school pursuant to paragraph (3) of subdivision (b) for the fiscal years before the current fiscal year divided by the average daily attendance of the school district or charter school for the fiscal years before the current fiscal year computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district or charter school computed pursuant to Section 42238.05. For purposes of this paragraph, the amount allocated pursuant to paragraph (3) of subdivision (b) for the fiscal years before the current fiscal year, and the average daily attendance of the school district or charter school for the fiscal years before the current fiscal year,



as computed pursuant to Section 42238.05, shall be considered final as of the third recertification of the annual apportionment.

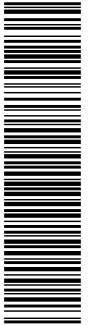
(5) (A) For the 2013–14 and 2014–15 fiscal years only, a school district that, in the 2012–13 fiscal year, from any of the funding sources identified in paragraph (1) or (2), received funds on behalf of, or provided funds to, a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to secondary pupils shall not redirect that funding for another purpose unless otherwise authorized in law or pursuant to an agreement between the regional occupational center or program joint powers agency and the contracting school district.

(B) For the 2013–14 and 2014–15 fiscal years only, if a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to pupils enrolled in grades 9 to 12, inclusive, received, in the 2012–13 fiscal year, an apportionment of funds directly from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a), the Superintendent shall apportion that same amount to the regional occupational center or program joint powers agency.

(6) (A) (i) For the 2013–14 and 2014–15 fiscal years only, a school district that, in the 2012–13 fiscal year, from any of the funding sources identified in paragraph (1) or (2), received funds on behalf of, or provided funds to, a home-to-school transportation joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation shall not redirect that funding for another purpose unless otherwise authorized in law or pursuant to an agreement between the home-to-school transportation joint powers agency and the contracting school district.

(ii) For the 2013–14 and 2014–15 fiscal years only, if a home-to-school transportation joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation received, in the 2012–13 fiscal year, an apportionment of funds directly from the Superintendent from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a), the Superintendent shall apportion that same amount to the home-to-school transportation joint powers agency.

(iii) If a home-to-school transportation joint powers agency, established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation, received an apportionment directly from the Superintendent from any of the funding sources specified in subparagraph (A) of paragraph (2) of subdivision (a) for the 2012–13 fiscal year, the joint powers agency may identify the member local educational agencies and transfer entitlement to that funding to any of those member local educational agencies by reporting to the Superintendent, on or before September 30, 2015, the reassignment of a specified amount of the joint powers agency's 2012–13 fiscal year entitlement to the member local educational agency. Commencing with the 2015–16 fiscal year, the Superintendent shall add the reassigned amounts to the amounts calculated pursuant to subparagraph (A) of paragraph (2) of subdivision (a).



(B) In addition to subparagraph (A), of the funds a school district receives for home-to-school transportation programs the school district shall expend, pursuant to former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5, former Article 10 (commencing with Section 41850) of Chapter 5, and the Small School District Transportation program, as set forth in former Article 4.5 (commencing with Section 42290), as those articles read on January 1, 2013, no less for those programs than the amount of funds the school district expended for home-to-school transportation in the 2012–13 fiscal year.

(7) For the 2013–14 and 2014–15 fiscal years only, of the funds a school district receives for purposes of regional occupational centers or programs, or adult education, the school district shall expend no less than the amount of funds the school district expended for purposes of regional occupational centers or programs, or adult education, respectively, in the 2012–13 fiscal year. For purposes of this paragraph, a school district may include expenditures made by its county office of education within the school district for purposes of regional occupational centers or programs so long as the total amount of expenditures by the school district and the county office of education equal or exceed the total amount required to be expended for purposes of regional occupational centers or programs pursuant to this paragraph and paragraph (3) of subdivision (k) of Section 2575.

(8) For the 2013–14 and 2014–15 fiscal years only, and for purposes of ensuring the continuity of essential induction and training services for beginning teachers, the Alameda County Superintendent of Schools shall withhold five hundred eighty-one thousand five hundred forty dollars (\$581,540) from the local control funding formula apportionments of the Newark Unified School District, and from those withheld funds shall allocate the following amounts to the following entities:

(A) One hundred forty-seven thousand nine hundred twenty dollars (\$147,920) to the Alameda Unified School District.

(B) One hundred four thousand dollars (\$104,000) to the San Leandro Unified School District.

(C) One hundred sixty-four thousand six hundred twenty dollars (\$164,620) to the Berkeley Unified School District.

(D) One hundred sixty-five thousand dollars (\$165,000) to the San Lorenzo Unified School District.

(b) Compute an annual local control funding formula transition adjustment for each school district and charter school as follows:

(1) Subtract the amount computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) from the amount computed for each school district or charter school under the local control funding formula entitlements computed pursuant to Section 42238.02. School districts and charter schools with a negative difference shall be deemed to have a zero difference.

(2) Each school district's and charter school's total need, as calculated pursuant to paragraph (1), shall be divided by the sum of all school districts' and charter schools' total need to determine the school district's or charter school's respective proportions of total need.

(3) (A) Each school district's and charter school's proportion of total need shall be multiplied by any available appropriations specifically made for purposes of this



subdivision, and added to the school district's or charter school's funding amounts as calculated pursuant to subdivision (a).

(B) For purposes of subparagraph (A), the proportion of total need that is funded from any available appropriations specifically made for purposes of this subdivision for a fiscal year shall be considered fixed as of the second principal apportionment for that fiscal year. Adjustments to a school district's or charter school's total need, as computed pursuant to paragraph (1), subsequent to the second principal apportionment for a fiscal year, shall be funded based on the fixed proportion of total need that is funded for that fiscal year pursuant to this subdivision and shall be continuously appropriated pursuant to Section 14002.

(4) If the total amount of funds appropriated for purposes of paragraph (3) pursuant to this subdivision are sufficient to fully fund any positive amounts computed pursuant to paragraph (1), the local control funding formula grant computed pursuant to subdivision (c) of Section 42238.02 shall be adjusted to ensure that any available appropriation authority is expended for purposes of the local control funding formula.

(c) The Superintendent shall subtract from the amounts computed pursuant to subdivisions (a) and (b) the sum of the following:

(1) (A) For school districts, the property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(B) For charter schools, the in-lieu property tax amount provided to a charter school pursuant to Section 47635.

(2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of Division 2 of the Revenue and Taxation Code.

(3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code.

(4) Prior years' taxes and taxes on the unsecured roll.

(5) Fifty percent of the amount received pursuant to Section 41603.

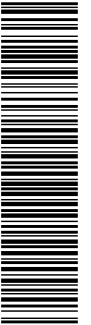
(6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.

(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.

(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(d) A school district or charter school that has a zero difference pursuant to paragraph (1) of subdivision (b) in the prior fiscal year shall receive an entitlement equal to the amount calculated pursuant to Section 42238.02 in the current fiscal year and future fiscal years.

(e) Notwithstanding paragraph (2) of subdivision (g), or the computations pursuant to subdivisions (b) to (d), inclusive, and Section 42238.02, commencing with the 2013–14 fiscal year, a school district or charter school shall receive state-aid funding



of no less than the sum of the amounts computed pursuant to paragraphs (1) to (3), inclusive.

(1) (A) For school districts, revenue limits in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 42238), as that article read on January 1, 2013, divided by the 2012–13 average daily attendance of the school district computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. A school district's 2012–13 revenue limit funding shall exclude amounts computed pursuant to Article 4 (commencing with Section 42280). For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year revenue limits shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) (i) For charter schools, general purpose funding in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the amount of in-lieu property tax provided to the charter school in the 2012–13 fiscal year pursuant to Section 47635, as that section read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year general purpose funding, as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(ii) The amount computed pursuant to clause (i) shall exclude funds received by a charter school pursuant to Section 47634.1, as that section read on January 1, 2013.

(C) The amount computed pursuant to subparagraph (A) shall exclude funds received pursuant to Section 47633, as that section read on January 1, 2013.

(D) For school districts, the 2012–13 funding allowance provided for qualifying necessary small high schools and necessary small elementary schools pursuant to Article 4 (commencing with Section 42280) and Section 42238.146, as those provisions read on January 1, 2013.

(E) The amount computed pursuant to subparagraphs (A) to (D), inclusive, shall be reduced by the sum of the amount computed pursuant to paragraphs (1) to (8), inclusive, of subdivision (c).

(2) (A) Entitlements from items contained in Section 2.00, as adjusted pursuant to Section 12.42, of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, and 6360-101-0001,



2012–13 fiscal year funding for the Class Size Reduction Program pursuant to former Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915. The entitlement for basic aid school districts shall include the reduction of 8.92 percent as applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2014–15 fiscal year, the entitlements identified in subparagraph (A) shall be adjusted to reflect the exclusion of one-time redevelopment agency liquid asset recovery revenue, pursuant to Section 34179.5 and following, of the Health and Safety Code, before the application of the 8.92-percent reduction applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

(C) The Superintendent shall annually apportion any entitlement provided to the state special schools from the items specified in subparagraph (A) to the state special schools in the same amount as the state special schools received from those items in the 2012–13 fiscal year.

(D) Commencing with the 2015–16 fiscal year, any portion of funding transferred to a school district or charter school by a joint powers agency pursuant to clause (iii) of subparagraph (A) of paragraph (6) of subdivision (a) shall be deemed to be included in the entitlements specified in subparagraph (A) for the school district or charter school.

(3) The allocations pursuant to Sections 42606 and 47634.1, as those sections read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school.

(4) (A) For purposes of this subdivision, funding for a restructured charter school shall be calculated as follows:

(i) Funding for a transferred charter school that meets the requirements of Section 47653 shall be calculated by doing both of the following:

(I) For purposes of paragraphs (1) and (3), using the quotient calculated for the original charter school.

(II) For purposes of paragraph (2), using the same amount of entitlement funding calculated for the charter school before the restructuring.

(ii) (I) Funding for an acquiring charter school that meets the requirements of Section 47653 shall be calculated by doing both of the following:

(ia) For purposes of paragraphs (1) and (3), using the median quotient calculated for the original charter schools.

(ib) For purposes of paragraph (2), using the same amount of entitlement funding calculated for each original charter school before the restructuring.

(II) This clause shall become inoperative on July 1, ~~2023~~, 2025, unless its operation is extended by the Legislature.

(iii) Funding for a divided charter school that meets the requirements of Section 47653 shall be calculated by doing the following:



(I) For purposes of paragraphs (1) and (3), using the quotients calculated for the original charter school for both the restructured portions of a divided charter school and the remaining portion of a divided charter school.

(II) For purposes of paragraph (2), dividing the amount between the restructured portions of a divided charter school and the remaining portion of a divided charter school based on each charter school's share of the combined average daily attendance of the original charter school computed pursuant to Section 42238.05 as of the second principal apportionment in the fiscal year immediately before the first fiscal year of instruction as a restructured charter school. Data regarding average daily attendance shall be provided by the charter school in a format prescribed by the Superintendent. The total average daily attendance attributable to the restructured and remaining portions of a divided charter school shall not exceed the total average daily attendance of the original charter school for the applicable fiscal year. The amounts shall be final as of the second principal apportionment for the first fiscal year of instruction as a restructured charter school and each fiscal year thereafter.

(B) The definitions in Section 47654 apply for purposes of this paragraph.

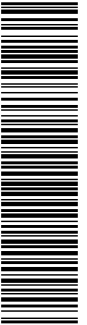
(f) (1) For purposes of this section, commencing with the 2013–14 fiscal year and until all school districts and charter schools equal or exceed their local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b), a newly operational charter school shall be determined to have a prior year funding amount per unit of average daily attendance equal to the lesser of:

(A) The prior year funding amount per unit of average daily attendance for the school district in which the charter school is physically located. The Superintendent shall calculate the funding amount per unit of average daily attendance for this purpose by dividing the total local control funding formula entitlement, calculated pursuant to subdivisions (a) and (b), received by that school district in the prior year by prior year funded average daily attendance of that school district. For purposes of this subparagraph, a charter school that is physically located in more than one school district shall use the calculated local control funding entitlement per unit of average daily attendance of the school district with the highest prior year funding amount per unit of average daily attendance. For purposes of this subparagraph, the prior year funding amount per unit of average daily attendance for the school district in which the charter school is physically located shall be considered final as of the second principal apportionment of the prior fiscal year.

(B) The charter school's local control funding formula rate computed pursuant to subdivisions (c) to (i), inclusive, of Section 42238.02.

(2) For charter schools funded pursuant to paragraph (1), the charter school shall be eligible to receive growth funding pursuant to subdivision (b) toward meeting the newly operational charter school's local control funding formula target.

(3) Upon a determination that all school districts and charter schools equal or exceed the local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) for all school districts and charter schools, this subdivision shall not apply and the charter school shall receive an allocation equal to the amount calculated under Section 42238.02 in that fiscal year and future fiscal years.



(4) For purposes of this subdivision, the determination of a charter school's physical location shall be considered final as of the second principal apportionment for the applicable fiscal year.

(g) (1) In each fiscal year the Superintendent shall determine the percentage of school districts that are apportioned funding pursuant to this section that is less than the amount computed pursuant to Section 42238.02 as of the second principal apportionments of the fiscal year. If the percentage is less than 10 percent, the Superintendent shall apportion funding to school districts and charter schools equal to the amount computed pursuant to Section 42238.02 in that fiscal year.

(2) For each fiscal year thereafter, the Superintendent shall apportion funding to a school district and charter school equal to the amount computed pursuant to Section 42238.02.

SEC. 16. Section 42238.053 of the Education Code is repealed.

~~42238.053. (a) The fiscal year average daily attendance computed under Section 42238.05 shall be increased, for each school district that operates a school that meets the eligibility requirements set forth in subdivision (b), by the number of days of attendance of pupils enrolled in eligible schools in the school district who are currently migratory children, as defined by Section 54441, and who are residing in state-operated migrant housing projects between the second principal apportionment and the end of the regular school year, divided by the number of days school was actually taught in the regular day schools of the district, excluding Saturdays and Sundays.~~

~~(b) For a school district to be eligible for purposes of this section, the following conditions shall apply:~~

~~(1) One or more state-operated migrant housing projects are located within the attendance area of the school.~~

~~(2) The maximum number of pupils enrolled in the school in the relevant fiscal year who are currently migratory children, as calculated under subdivision (a), constitutes not less than one-third of the total pupil enrollment of the school.~~

~~(c) The Superintendent shall establish rules and regulations for the implementation of this section.~~

SEC. 17. Section 44258.9 of the Education Code is amended to read:

44258.9. (a) (1) The Legislature finds and declares that the reporting and continued monitoring of teacher assignments by the commission, the department, and the county superintendents of schools will help ensure that local educational agencies meet the state and federal reporting requirements of requirements, including the requirements of the federal Every Student Succeeds Act (Public Law 114-95), or any other federal law that effectively replaces that act, and will ensure that the rate of teacher misassignments remains low. act. To support pupil access to credentialed and appropriately assigned educators, the commission and the department shall collaborate to publish annual data on educator credentialing and assignment, at the school, local educational agency, and state level. To the extent possible, and with the funds provided for that purpose, each county office of education shall perform its duties as a monitoring authority, as specified in subdivision (e).

(2) The commission and the department shall collaborate to perform the duties specified in this section. section, with the commission leading the teacher assignment monitoring process and the department leading the teacher assignment monitoring data production and publication process.



(3) Teacher assignment monitoring ~~and the requirements of this section~~ data publication shall be executed in a manner consistent with the statewide system of support and the school accountability system established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4, ~~the county office of education monitoring established pursuant to Article 2 (commencing with Section 1240) of Chapter 2 of Part 2 of Division 1 of Title 1,~~ and the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, or any other federal law that effectively replaces that act.

(b) For purposes of this section, the following definitions apply:

(1) “Assignment” means a position for an employee or individual hired on a contract to serve as the educator of record. An “assignment” can be filled by an individual with a credential, permit, waiver, or any other document issued by the commission.

(1)

(2) “Local educational agency” means a school district, county office of education, charter school, or state special school.

(2)

(3) “Misassignment” has the same meaning as defined in Section 33126, 33126, except when another definition exists under the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act (Public Law 114–95), or any federal law that effectively replaces that act. For purposes of this section, “employee,” as used in the definition of “misassignment” in Section 33126, includes an individual hired on a contract. For purposes of this section, in a charter school, “misassignment” shall apply only to employees in teaching positions.

(3)

(4) “Monitoring authority” means:

(A) The county office of education for school districts in the county and programs operated by the county office of education.

(B) The commission for a school district or county office of education that operates within a city or county in which there is a single school district, including the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco, and the state special schools.

(C) The chartering authority for a charter school.

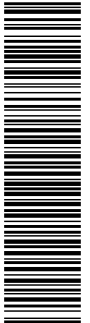
(4)

(5) “System,” unless the context requires otherwise, means the State Assignment Accountability System, which is an electronic data system administered by the commission for monitoring teacher assignments and vacant positions. positions and uses department data collected pursuant to Section 60900 for its functioning.

(5)

(6) “Vacant position” means a position or an assignment to which a single-designated certificated employee has not been assigned at the beginning of the year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester. time of department data collection.

(c) The commission and the department shall enter into a data sharing agreement for the department to provide the commission with employee assignment data necessary to annually identify educator assignments, including misassignments and vacant



positions at local educational agencies. The data sharing agreement shall also require the commission to make credential, misassignment, and other relevant data available to the department to support reporting consistent with the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, Act (Public Law 114–95), or any other federal law that effectively replaces that act, act, and applicable state reporting requirements, including for the statewide system of support established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(d) The commission and the department may engage in a variety of activities designed to inform school administrators, teachers, and personnel within the county offices of education of the regulations and statutes affecting the assignment of employees. employees and how data on educator assignments is published and used. These activities may include, but shall not necessarily be limited to, the preparation of instructive brochures and the holding of regional workshops.

(e) (1) The commission shall annually use the data provided by the department pursuant to subdivision (c) to produce an initial data file of vacant positions and certificated employee assignments that do not have a clear match of credential to assignment. The commission shall notify local educational agencies and monitoring authorities of the opportunity to access the system and review the initial data file of potential misassignments and vacant positions.

(2) A local educational agency may do any of the following within 60 days of the commission's notification pursuant to paragraph (1):

(A) Access and review the initial data file in the system to determine if each employee included in the initial data file is otherwise legally authorized for the assignment.

(B) Submit documentation or additional assignment information to the commission and monitoring authority showing that the employee is otherwise legally authorized for the assignment. This information may include the use of local assignment options outlined in any statute or regulation.

(C) Submit documentation to the commission and monitoring authority showing that a position identified in the initial data file as vacant was miscoded and that a legally authorized employee was assigned to the position.

(3) Information submitted to the commission and monitoring authority pursuant to paragraph (2) shall be submitted electronically through the system.

(4) A monitoring authority shall access the system to review the initial data file and any documentation or additional information submitted by a local educational agency for which it is a monitoring authority and make a determination of potential misassignments and vacant positions within 90 days of the commission's notification pursuant to paragraph (1).

(5) The commission shall have the authority to make a final determination for all potential assignments and misassignments.

~~(5)~~

(6) After the 90-day review period pursuant to paragraph (4), the commission shall report the share all educator assignment data, including misassignments and vacant positions for that year, year, with the department for the department's teacher assignment monitoring outcomes reporting.



(7) Once published, the commission shall post a link to the department's teacher assignment monitoring outcomes reporting on its internet website, with resources for local educational agencies seeking to maintain a fully credentialed and properly assigned educator workforce.

~~(6) The commission shall have the authority to make a final determination for all potential misassignments.~~

~~(7)~~

(8) Notwithstanding any other law, the commission, when identifying misassignments using the system, shall identify an employee in a teaching position, including an employee of a charter school, as correctly assigned only when the employee holds the certificate or credential required by the commission for that assignment in a noncharter public school, taking into account local assignment options.

~~(8)~~

(9) Commencing in the 2020–21 school year, a chartering authority, as provided in this section, may request technical assistance to assist in its determination of potential misassignments and vacant positions from the county office of education in the county in which the chartering authority is located.

~~(9)~~

(10) For a school district, the county superintendent of schools shall notify, through the office of the school district superintendent, a certificated school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the school administrator to correct the assignment within 30 calendar days. For a charter school, the monitoring authority shall notify the charter school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the charter school administrator to correct the assignment within 30 calendar days.

(f) The system and the data reported from the system shall not be used by a local educational agency for purposes of evaluating certificated employees, certificated employee performance determinations, or employment decisions.

(g) If an employee, including an employee who is employed by a charter school, is required by a local educational agency to accept an assignment in a teaching or services position for which the employee has no legal authorization, all of the following shall occur:

(1) (A) After exhausting existing local remedies, an employee of a school district shall notify the superintendent of the school district, and an employee of a charter school shall notify the administrator of the charter school, in writing, of the illegal assignment.

(B) If no action is taken after the notice required pursuant to subparagraph (A), an employee of a school district shall notify the county superintendent of schools, and an employee of a charter school shall notify the chartering authority, in writing, of the illegal assignment.

(2) In the case of an assignment by a school district for which the employee has filed a notice that the employee has no legal authorization, the school district or county superintendent of schools shall advise the employee about the legality of the assignment within 15 working days. In the case of an assignment by a charter school for which the employee has filed a notice that the employee has no legal authorization, the



administrator of the charter school or the chartering authority shall advise the employee about the legality of the assignment within 15 working days.

(3) A local educational agency shall not take adverse action against an employee who files a notice of misassignment pursuant to paragraph (1).

(4) Notwithstanding any other law, for purposes of a charter school authorized by the state board, the employee shall file the written notices regarding misassignment described in paragraph (1) with the commission.

(5) During the period of a misassignment, the certificated employee who files a written notice pursuant to subparagraph (B) of paragraph (1) shall be exempt from Section 45034.

(6) If it is determined that a misassignment has occurred, a performance evaluation pursuant to Article 11 (commencing with Section 44660) of Chapter 3 of the certificated employee in the misassignment shall be nullified.

(7) A certificated employee who has not attained permanent status is subject to the protections described in this subdivision and subdivision (f) even if the certificated employee does not provide notice pursuant to paragraph (1).

(h) For the 2019–20 school year, the final data file generated by the system to identify misassignments and vacant positions shall be nonconsequential and shall be provided to the department, local educational agencies, and monitoring authorities by the commission for informational purposes only.

(i) Commencing with the 2020–21 school year, and each school year thereafter, following the 90-day review period provided for monitoring authorities pursuant to subdivision (e), the commission shall support the department to do all of the following:

(1) ~~Make annual employee-misassignment assignment, misassignment, and vacant position data generated by the system publicly available in a searchable format on its the department's internet website. Data shall be updated annually and provide the total number of assignments and misassignments at the schoolsite, school district, and county level.~~

(2) Ensure that data for charter schools is distinguishable from data for noncharter public schools when made publicly available in a searchable format.

(3) Maintain each year's data for no less than five years.

~~(4) Provide the department with annual data on the total number of misassignments at the schoolsite, school district, and county level.~~

~~(5)~~

(4) Ensure that the publicly available misassignment data reported from the system shall not include any personally identifiable information, including names, social security numbers, home addresses, telephone numbers, or email addresses of individual employees.

(j) The commission may promulgate regulations that define standards for a local educational agency, including a charter school, that consistently misassigns employees and what sanctions, if any, to impose on that local educational agency.

(k) (1) On or before December 1, 2022, the commission shall report to the appropriate policy and fiscal committees of the Legislature on the development of the system, including, but not limited to, all of the following:

(A) The development and current status of the system.

(B) The ability of the system to efficiently produce accurate annual data on teacher misassignments.



(C) Statewide information regarding misassignments, delineated by credential type, assignment, and type of school.

(D) Use of local assignment options, delineated by local assignment option and type of school.

(E) Any recommendations to improve the system and the local assignment monitoring process required by this section.

(F) Identification of any need for further technical assistance for local educational agencies, including chartering authorities, to improve assignment monitoring and reduce the overall rate of misassignment.

(2) Pursuant to Section 10231.5 of the Government Code, the reporting requirement described in paragraph (1) shall be inoperative on December 1, 2026.

(l) This section shall not relieve a local educational agency from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of “misassignment” for purposes of Section 33126.

SEC. 18. Section 46120 of the Education Code is amended to read:

46120. (a) (1) It is the intent of the Legislature that all local educational agencies offer all unduplicated pupils in classroom-based instructional programs access to comprehensive after school and intersessional expanded learning opportunities.

(2) The Expanded Learning Opportunities Program is hereby established.

(b) (1) For the 2021–22 and 2022–23 school years, local educational agencies that receive funds pursuant to subdivision (d) shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Funding received pursuant to this section for the 2021–22 and 2022–23 school years shall be expended to develop an expanded learning opportunity program or provide services in accordance with program requirements. Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (B) of paragraph (1) of subdivision (d), local educational agencies shall offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and shall provide access to any pupil whose parent or guardian requests their placement in a program. Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (C) of paragraph (1) of subdivision (d), local educational agencies shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and shall provide access to any unduplicated pupil whose parent or guardian requests their placement in a program. Expanded learning opportunity programs shall include all of the following:

(A) On schooldays, as described in Section 46100 and Sections 46110 to 46119, inclusive, and days on which school is taught for the purpose of meeting the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no less than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.



(B) (i) For at least 30 nonschooldays, inclusive of extended school year days provided pursuant to paragraph (3) of subdivision (b) of Section 56345, no less than nine hours of in-person expanded learning opportunities per day.

(ii) Extended school year days may include in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are not less than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

(C) For expanded learning opportunity programs located in a frontier designated geographical location, program requirements are no less than eight hours of combined instructional time, recess, meals, and in-person before or after school expanded learning opportunities per instructional day, and no less than eight hours of in-person expanded learning opportunities on at least 30 nonschooldays.

(2) Local educational agencies operating expanded learning opportunity programs pursuant to this section may operate a before school component of a program, an after school component of a program, or both the before and after school components of a program, on one or multiple schoolsites, and shall comply with subdivisions (c), (d), and (g) of Section 8482.3, including the development of a program plan based on all of the following:

(A) The department's guidance.

(B) Section 8482.6.

(C) Paragraphs (1) to (9), inclusive, and paragraph (12) of subdivision (c) of Section 8483.3.

(D) Section 8483.4, except that programs serving transitional kindergarten or kindergarten pupils shall maintain a pupil-to-staff member ratio of no more than 10 to 1.

(3) Local educational agencies shall prioritize services provided pursuant to this section at schoolsites in the lowest income communities, as determined by prior year percentages of pupils eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunity programs across their attendance area.

(4) Local educational agencies may serve all pupils, including elementary, middle, and secondary school pupils, in expanded learning opportunity programs provided pursuant to this section.

(5) Local educational agencies may charge pupil fees for expanded learning opportunity programs provided pursuant to this section, consistent with Section 8482.6.

(6) Local educational agencies are encouraged to collaborate with community-based organizations and childcare providers, especially those participating in state or federally subsidized childcare programs, to maximize the number of expanded learning opportunity programs offered across their attendance areas.

(7) This section does not limit parent choice in choosing a care provider or program for their child outside of the required instructional minutes provided during a schoolday. Pupil participation in an expanded learning opportunity program is optional. Children eligible for an expanded learning opportunity program may participate in, and generate reimbursement for, other state or federally subsidized childcare programs, pursuant to the statutes regulating those programs.

(8) Local educational agencies may provide up to three days of staff development during regular expanded learning opportunity program hours.



(9) An expanded learning opportunity program shall not be required to comply with the requirements of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 or the requirements set forth in Chapter 19 of Division 1 of Title 5 of the California Code of Regulations.

(c) (1) Commencing with the 2023–24 school year, a local educational agency shall be subject to the audit conducted pursuant to Section 41020 to determine compliance with subdivision (b).

(2) Commencing with the 2023–24 ~~school~~ fiscal year, if a local educational agency either fails to offer or provide access to expanded learning opportunity programs to eligible pupils pursuant to paragraph (1) of subdivision (b), the Superintendent shall withhold from the local educational agency's apportionment of funds pursuant to subdivision (d) an amount proportionate to the number of pupils to whom the local educational agency failed to offer or provide access to expanded learning opportunity programs. Pupils opting not to participate in the expanded learning opportunity program shall not generate a penalty for a local educational agency pursuant to this paragraph.

(3) (A) Commencing with the 2023–24 ~~school~~ fiscal year, if a school district fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the school district's apportionment of funds pursuant to subdivision ~~(d)~~ (d), as adjusted pursuant to paragraph (2), an amount equal to the product of 0.0048 times the school district's apportionment for each day the school district fails to meet the day or hour requirements.

(B) Commencing with the 2023–24 ~~school~~ fiscal year, if a charter school fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the charter school's apportionment of funds pursuant to subdivision (d), as adjusted pursuant to paragraph (2), an amount equal to the product of 0.0049 times the charter school's apportionment for each day the charter school fails to meet the day or hour requirements.

(d) (1) The Superintendent shall allocate funding appropriated in Item 6100-110-0001 of the annual Budget Act and in subdivision (f), if applicable, in the following manner:

(A) For the 2021–22 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 80 percent, the amount of one thousand one hundred seventy dollars (\$1,170) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(B) Commencing with the 2022–23 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 75 percent, the amount of two thousand seven hundred fifty dollars (\$2,750) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily



attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(C) For all other local educational agencies not receiving an allocation under subparagraph (A) or (B), the amount of funds remaining from the appropriations in Item 6100-110-0001 of the annual Budget Act and subdivision (f), if applicable, after the amount allocated pursuant to subparagraph (A) or (B), shall be allocated on a per-unit basis of the local educational agency's prior year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(2) A local educational agency with prior year classroom-based average daily attendance in kindergarten and grades 1 to 6, inclusive, shall not receive funding pursuant to paragraph (1) of less than fifty thousand dollars (\$50,000).

(3) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include, but is not limited to, hiring literacy coaches, high-dosage tutors, school counselors, and instructional day teachers and aides to assist pupils as part of the local educational agency's program enrichment activities.

(4) A local educational agency receiving funding pursuant to subparagraph (B) of paragraph (1) shall be provided at least three years of funding pursuant to that subparagraph upon becoming eligible to receive funding pursuant to that subparagraph. A local educational agency that does not meet the requirements of subparagraph (B) of paragraph (1) for four consecutive years shall be ineligible to receive funding pursuant to that subparagraph.

(5) The Superintendent shall proportionately reduce the amount of funding allocated pursuant to this section for a charter school that has ceased operation during the school year if school was actually taught in the charter school on fewer than 175 calendar days during that school year. The reduction shall be commensurate to the number of days that the charter school failed to operate due to the closure.

(6) For the 2021–22 fiscal year, a school district or charter school may expend the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2022–23 fiscal year, inclusive. For the 2022–23 fiscal year, a school district or charter school may expend the funds received pursuant to this subdivision from the 2022–23 fiscal year to the 2023–24 fiscal year, inclusive.

(7) (A) For reorganized school districts, the prior fiscal year percentage of unduplicated pupils for purposes of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by all of two or more existing districts, combine the unduplicated pupils and total pupil enrollment of the original school districts.

(ii) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by parts of one or more existing districts, and for the remaining portion of a divided district, or for a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the county office of education with



jurisdiction over the reorganized school district may provide to the department, under timelines and procedures established by the Superintendent, the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized district, and the prior fiscal year unduplicated pupil percentage may be based on the unduplicated pupils and total pupil enrollment attributed to each reorganized school district. If the county office of education with jurisdiction over the reorganized school district does not provide to the department the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized school district, the unduplicated pupils and total pupil enrollment shall be equal to the counts reported for the original school district.

(B) For reorganized school districts, the prior fiscal year average daily attendance for purposes of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, the sum of the average daily attendance of the original school districts.

(ii) For a remaining portion of a divided school district, the average daily attendance attributed to that portion of the school district.

(iii) For a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the average daily attendance of the former school district shall be attributed to the new school districts so that the sum of the average daily attendance for the new school districts equals the average daily attendance of the former school district.

(iv) For purposes of clauses (i), (ii), and (iii), the county superintendent of schools with jurisdiction over the reorganized school district shall provide to the department the prior fiscal year average daily attendance as of the second principal apportionment from each affected school district that will be served by each reorganized district.

(8) (A) Beginning with the 2022–23 fiscal year, the department may allocate up to five million dollars (\$5,000,000) of moneys appropriated for purposes of this subdivision to county offices of education to provide technical assistance, evaluation, and training services to support program improvement, in coordination with activities described in Section 8483.55. County offices of education already providing technical assistance pursuant to Section 8483.55 shall be prioritized to receive these funds.

(B) Training and support shall include, but is not limited to, supporting local educational agencies with leveraging multiple funding initiatives to support expanded learning, including, but not limited to, community schools, school meal programs, and California state preschool programs.

(e) For purposes of this section, the following definitions apply:

(1) “Expanded learning opportunities” has the same meaning as “expanded learning” is defined in Section 8482.1. “Expanded learning opportunities” does not mean an extension of instructional time, but rather, opportunities to engage pupils in enrichment, play, nutrition, and other developmentally appropriate activities.

(2) “Frontier designated geographic location” means a schoolsite in an area that has a population density of less than 11 persons per square mile.

(3) “Local educational agency” means a school district or charter school, excluding a charter school established pursuant to Section 47605.5.



(4) “Nonschooldays” means days not identified pursuant to subparagraph (A) of paragraph (1) of subdivision (b), inclusive of Saturdays, as described in Section 37223.

(5) “Offer access” means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels.

(6) “Provide access,” with respect to an “expanded learning opportunity program,” means to enroll in the expanded learning opportunity program. If a parent or guardian has a signed expanded learning opportunity program registration form and that form is on file, the pupil shall be considered enrolled in the expanded learning opportunity program. For a local educational agency receiving an expanded learning opportunity program apportionment, transportation shall be provided for any pupil who attends a school that is not operating an expanded learning opportunity program to attend a location that is providing an expanded learning opportunity program and to return to their original location or another location that is established by the local educational agency.

(7) “Unduplicated pupil” has the same meaning as in Section 42238.02.

(f) For the 2021–22 fiscal year, the sum of seven hundred fifty-four million twenty-one thousand dollars (\$754,021,000) is hereby appropriated from the General Fund to the Superintendent for allocation for the Expanded Learning Opportunities Program in the manner and for the purpose set forth in this section.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (f) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

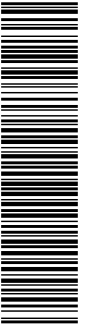
SEC. 19. Section 47606.5 of the Education Code is amended to read:

47606.5. (a) On or before July 1, 2015, and each year thereafter, the governing body of a charter school shall hold a public hearing to adopt a local control and accountability plan using a template adopted by the state board. The governing body of a charter school shall update the goals and annual actions to achieve those goals identified in the charter petition pursuant to subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, using the template for the local control and accountability plan and annual update to the local control and accountability plan adopted by the state board pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.

(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to,



findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(c) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(d) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.

(e) (1) The charter school shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school.

(2) The report shall include both of the following:

(A) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(B) Midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(e)

(f) The governing body of a charter school shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing, and the local control and accountability plan or annual update to the local control and accountability plan shall be made available for public inspection at each site operated by the charter school.

(f)

(g) The governing body of a charter school may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The governing body of a charter school may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

(g)

(h) Pursuant to Section 47604.33, the charter school shall submit the adopted or revised local control and accountability plan pursuant to this section to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority.

(h)

(i) The charter school shall prominently post on the home page of the internet website of the charter school any local control and accountability plan adopted by the governing body of the charter school, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing body of the charter school.

SEC. 20. Section 48000 of the Education Code is amended to read:



48000. (a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have their fifth birthday on or before one of the following dates:

- (1) December 2 of the 2011–12 school year.
- (2) November 1 of the 2012–13 school year.
- (3) October 1 of the 2013–14 school year.
- (4) September 1 of the 2014–15 school year and each school year thereafter.

(b) The governing board of the school district of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board of the school district determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c) (1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, and Chapter 3 (commencing with Section 47610) of Part 26.8, as applicable, a school district or charter school shall ensure the following:

(A) In the 2012–13 school year, a child who will have their fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(B) In the 2013–14 school year, a child who will have their fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(C) From the 2014–15 school year to the 2021–22 school year, inclusive, a child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(D) In the 2022–23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(E) In the 2023–24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(F) In the 2024–25 school year, a child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(G) In the 2025–26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(2) (A) In any school year, a school district or charter school may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year in subparagraphs (A) to (F), inclusive, of paragraph (1) ~~but during that same school year, (1),~~ with the approval of the parent or guardian, subject to the following conditions:



(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(B) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to subparagraph (A) shall not generate average daily attendance for purposes of Section 46300, or be included in the enrollment or unduplicated pupil count pursuant to Section 42238.02, until the pupil has attained the pupil's fifth birthday, regardless of when the pupil was admitted during the school year.

(d) For purposes of this section, "transitional kindergarten" means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(e) A transitional kindergarten shall not be construed as a new program or higher level of service.

(f) It is the intent of the Legislature that transitional kindergarten curriculum be aligned to the California Preschool Learning Foundations developed by the department.

(g) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, a school district or charter school shall do all of the following:

(1) Maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) "Class" means a group of pupils scheduled to report regularly at a particular time to a particular teacher during the regular schoolday, as defined by the governing board of the school district or the governing body of the charter school, as applicable, excluding special day classes. Classes in the evening and summer school class shall not be considered classes for purposes of this calculation.

(B) (i) "Active enrollment count" for purposes of subparagraph (C) means the count of all pupils enrolled in a class with transitional kindergarten pupils on the first day of the school year on which the class was in session, plus all later enrollees, minus all withdrawals since that first day. An active enrollment count shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) For school districts, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who meet the minimum day requirements for independent study and are continually enrolled in independent study for more than 14 schooldays in a school year.

(iii) For charter schools, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who are continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught for the purpose of meeting the 175-instructional-day offering, as described in Section 11960 of Title 5 of the California Code of Regulations.

(C) "Average number of pupils enrolled per class" means the quotient of the sum of the active enrollment counts made under subparagraph (B) divided by the total number of those active enrollment counts for each class of the schoolsite.



(D) “Average transitional kindergarten class enrollment” means the quotient of the sum of the average number of pupils enrolled per class determined pursuant to subparagraph (C) of all classes at the schoolsite divided by the total number of all classes at the schoolsite that include transitional kindergarten pupils, rounded to the nearest half or whole integer.

(2) Commencing with the 2022–23 school year, maintain an average of at least one adult for every 12 pupils for transitional kindergarten classrooms at each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) “Total transitional kindergarten enrollment” is the sum of the average number of pupils enrolled per class of all classes at the schoolsite, as determined in subparagraph (C) of paragraph (1).

(B) “Number of adults” shall be determined for each schoolsite as follows:

(i) A count of employees of the school district or charter school assigned to each class at the schoolsite that includes transitional kindergarten pupils shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) The sum of all of the adult counts pursuant to clause (i) shall be divided by the total number of those counts, rounded to the nearest half or whole integer.

(C) “Adult-to-pupil ratio” shall be the quotient of the total transitional kindergarten enrollment divided by the total number of adults, rounded to the nearest half or whole integer.

(3) Commencing with the 2023–24 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms, contingent upon an appropriation of funds for this purpose.

(4) Ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, one of the following:

(A) At least 24 units in early childhood education, or childhood development, or both.

(B) As determined and documented by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children meeting the criteria established by the governing board or body of the local educational agency that is comparable to the 24 units of education described in subparagraph (A).

(C) A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing.

(5) (A) Commencing with the 2028–29 school year, ensure that an adult assigned to a transitional kindergarten classroom pursuant to paragraph (2) or (3), as applicable, shall meet at least one of the following requirements:

(i) The adult has been issued a credential based on a program of professional preparation approved by the Commission on Teacher Credentialing.

(ii) The adult is participating in an educator apprenticeship or residency program.

(iii) The adult is participating in the California Classified School Employee Teacher Credentialing Program.

(iv) The adult is participating in any teacher preparation program from any pathway seeking clinical practicum experience, including an educator apprenticeship or residency program.



(v) The adult is a Regional Occupational Program/Home Economics Related Occupations program/Future Teachers and Dual Enrollment participant who is participating in supervised practicum experience.

(vi) The adult holds any level of child development permit or is a candidate participating in supervised practicum experience for a child development permit.

(B) Nothing in this paragraph shall be construed to relieve a local educational agency of the requirements pursuant to Section 46118 to have a credentialed teacher assigned to all transitional kindergarten classrooms.

(h) A school district or charter school may place four-year-old children, as defined in Section 8205, enrolled in a California state preschool program into a transitional kindergarten program classroom. A school district or charter school that commingles children from both programs in the same classroom shall meet all of the requirements of the respective programs in which the children are enrolled, and the school district or charter school shall adhere to all of the following requirements, irrespective of the program in which the child is enrolled:

(1) An early childhood environment rating scale, as specified in Section 18281 of Title 5 of the California Code of Regulations, shall be completed for the classroom.

(2) All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 18272 of Title 5 of the California Code of Regulations.

(3) The classroom shall be taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Section 44065 and subdivision (b) of Section 44256 and who meets the requirements set forth in subdivision (g).

(4) The classroom shall be in compliance with the adult-child ratio specified in subdivision (c) of Section ~~8264.8~~ 8241.

(5) Contractors of a school district or charter school commingling children enrolled in the California state preschool program with children enrolled in a transitional kindergarten program classroom shall report the services, revenues, and expenditures for the California state preschool program children in accordance with Section 18068 of Title 5 of the California Code of Regulations. Those contractors are not required to report services, revenues, and expenditures for the children in the transitional kindergarten program.

(i) Until July 1, 2019, a transitional kindergarten classroom that has in attendance children enrolled in a California state preschool program shall be licensed pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code.

(j) A school district or charter school that chooses to place California state preschool program children into a transitional kindergarten program classroom shall not also include children enrolled in transitional kindergarten for a second year or children enrolled in kindergarten in that classroom.

(k) A child's eligibility for transitional kindergarten enrollment under paragraph (1) or (2) of subdivision (c) shall not impact family eligibility for a preschool or childcare program, including, but not limited to, all of the following:

(1) A Head Start or Early Head Start program, as defined by the federal Head Start Act, as amended (42 U.S.C. Sec. 9801 et seq.).



(2) A childcare center, family childcare home, or license-exempt provider serving children through an alternative payment program pursuant to Chapter 3 (commencing with Section 10225) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(3) A migrant childcare and development program serving children pursuant to Chapter 6 (commencing with Section 10235) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(4) A childcare center or family childcare home educational network serving children through a California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6 of Division 1 of Title 1.

(5) A childcare center, family childcare home, or license-exempt provider serving children through a general childcare and development program pursuant to Chapter 7 (commencing with Section 10240) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(6) A family childcare home educational network serving children pursuant to Chapter 8 (commencing with Section 10250) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(7) Childcare and development services for children with special needs pursuant to Chapter 9 (commencing with Section 10260) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(8) A program serving children through a CalWORKs Stage 1, Stage 2, or Stage 3 program pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(l) (1) The Superintendent shall authorize California state preschool program contracting agencies to offer less than four hours each instructional day of wraparound childcare services within a part-day California state preschool program for children enrolled in an education program as a transitional kindergarten or kindergarten pupil, if their families meet the requirements of Section 8208.

(2) The Superintendent shall authorize California state preschool programs operating on a local education agency campus to operate a part-day California state preschool program that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.

(3) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision the department shall implement this subdivision, through management bulletins or similar letters of instruction on or before December 31, 2022.

SEC. 21. Section 48310 of the Education Code is amended to read:

48310. (a) The average daily attendance for pupils admitted by a school district of choice pursuant to this article shall be credited to that school district pursuant to Section 46607. The attendance report for the school district of choice may include an identification of the school district of residence.

(b) Notwithstanding any other law, state aid for categorical education programs for pupils admitted under this article shall be apportioned to the school district of choice.

(c) (1) For a school district of choice that is a basic aid school district, the apportionment of state funds for average daily attendance credited pursuant to this



section shall be 25 percent of the school district local control funding formula base grant computed pursuant to subdivision (d) of Section 42238.02, as implemented by Section 42238.03, that would have been apportioned to the school district of residence.

(2) Notwithstanding paragraph (1), until the Superintendent determines that the school district of residence is funded pursuant to Section 42238.02, the Superintendent shall apportion, for average daily attendance pursuant to this article, the lesser of the amount calculated pursuant to paragraph (1) or 25 percent of the sum of the entitlements for the school district of residence for the specified fiscal year as computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, divided by the average daily attendance pursuant to this article for that fiscal year and then multiplied by the ratio of local control funding formula base grant funding computed pursuant to subdivision (d) of Section 42238.02 to the local control funding formula amount for the fiscal year computed pursuant to Section 42238.02.

(3) If the entitlements for the school district of residence computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, include funding calculated pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24 of Division 3 for a fiscal year, paragraph (2) shall not apply and the apportionment of state funds for the average daily attendance credited pursuant to this section for that fiscal year shall be calculated pursuant to paragraph (1).

(4)

(2) For purposes of this subdivision, the term “basic aid school district” means a school district that does not receive from the state, for a fiscal year in which this subdivision is applied, an apportionment of state funds as described in subdivision (o) of Section 42238.02.

(d) The average daily attendance of pupils admitted by a school district of choice pursuant to this article shall be credited to that school district for purposes of any determination under Article 2 (commencing with Section 17010) of Chapter 12 of Part 10 of Division 1 of Title 1 that uses an average daily attendance calculation.

SEC. 22. Section 49414.6 is added to the Education Code, to read:

49414.6. (a) Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, the sum of three million five hundred thousand dollars (\$3,500,000) shall be appropriated from the General Fund to the department to allocate to local educational agencies for the purpose of purchasing and maintaining a minimum of two doses of an emergency opioid antagonist at each middle school, junior high school, and high school site.

(b) The allocation of funds shall consider the number of middle school, junior high school, and high school sites that are within the local educational agency, the number of pupils served by those required schoolsites, and any other factors determined by the department.

(c) As a condition of receiving funds pursuant to this section, local educational agencies shall do all of the following:

(1) Purchase and maintain the minimum of two doses of an emergency opioid antagonist for each required schoolsite that is best suited for distribution and use in schools by doing all of the following:



(A) Obtaining a standing order for the distribution and administration of an emergency opioid antagonist issued by the State Public Health Officer authorized by Section 1714.22 of the Civil Code.

(B) Applying to be a qualified direct purchaser with the naloxone manufacturer to purchase the emergency opioid antagonist at the public interest price.

(C) Distributing a minimum of two doses of an emergency opioid antagonist to each middle school, junior high school, and high school site within the local educational agency.

(2) Ensure schoolsite staff meet the minimum standards of training for the administration of an emergency opioid antagonist as specified in subdivision (e) of Section 49414.3 or have undergone opioid overdose prevention and treatment training and reviewed materials available on the State Department of Public Health's internet website.

(3) Restock the minimum of two doses of an emergency opioid antagonist at each required schoolsite before its expiration date and if used, as soon as reasonably possible after its use, but no later than two weeks after the use.

(d) Those local educational agencies that are already stocking an emergency opioid antagonist by meeting the requirements of Section 49414.3 shall receive funding pursuant to subdivision (a) if they are in compliance with subparagraph (C) of paragraph (1) of subdivision (c).

(e) For purposes of this section, the following definitions apply:

(1) "Local educational agency" means a school district, county office of education, or charter school.

(2) "Opioid antagonist" means naloxone hydrochloride, or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body, and has been approved for the treatment of an opioid overdose.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the fiscal year in which they are appropriated, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the fiscal year in which they are appropriated.

SEC. 23. Section 49501.5 of the Education Code is amended to read:

49501.5. (a) Notwithstanding any other provision of this chapter, commencing with the 2022–23 school year all of the following shall apply:

(1) A school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, shall provide two school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period, except for family daycare homes that shall be reimbursed for 75 percent of the meals served. The meals provided under this paragraph shall be nutritiously adequate meals that qualify for federal reimbursement.

(2) A charter school shall provide two school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's



eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period. The meals provided under this paragraph shall be nutritiously adequate meals that qualify for federal reimbursement.

(3) (A) A local educational agency that has a reimbursable school breakfast program shall not charge any pupil enrolled in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, any amount for any breakfast served to that pupil through the program, and shall provide a breakfast free of charge to any pupil who requests one without consideration of the pupil's eligibility for a federally funded free or reduced-price meal. The meals provided free of charge pursuant to this paragraph shall be nutritiously adequate, and shall count toward the total of two school meals required to be provided each schoolday under paragraphs (1) and (2).

(B) As used in this paragraph, "school breakfast program" means the nonprofit breakfast program established by Section 4 of the federal Child Nutrition Act of 1966 (42 U.S.C. Sec. 1771 et seq.).

(4) ~~The department shall reimburse local educational agencies that participate in provide state meal reimbursement to school districts, county offices of education, and charter schools that participate in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program for all nonreimbursed expenses accrued in providing United States Department of Agriculture reimbursable meals to pupils as described in subdivision (b). Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils, as described in subdivision (b).~~

(b) The amount of per-meal reimbursements provided under this section shall not exceed the difference between the sum of the amounts calculated from meals claimed based on the free combined breakfast and lunch reimbursement rates established by the United States Department of Agriculture and state meal contribution established in Section 49559, and the combined federal and state amounts reimbursed for reduced-price and paid meals claimed.

(c) For the 2021–22 school year, the twenty-four cents eighty-seven mills (\$0.2487) reimbursement per meal served, as specified in Provision 6 of Item 6100-203-0001 of the Budget Act of 2021, shall apply to all United States Department of Agriculture reimbursable meals served to pupils under the federal Seamless Summer Option, if eligible in accordance with federal regulations.

(d) The reimbursement required pursuant to this section shall be provided upon appropriation by the Legislature. This section shall not be operative until the Legislature has appropriated funds for purposes of this section.

(e) (1) The department may adopt, and as necessary revise, guidelines in accordance with this section at a publicly noticed meeting if the department complies with all of the following:

(A) Provides an opportunity for public comment at the meeting.

(B) Provides written public notice of a meeting at least 30 days before the meeting at which the guideline to be adopted will be considered or approved.

(C) For a substantive revision of the guidelines, the department provides written notice of a meeting at least 15 days before the meeting at which the revision will be considered or approved.



(2) The adoption or revision of guidelines pursuant to this subdivision is exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code until July 1, 2023.

SEC. 24. Section 52052 of the Education Code is amended to read:

52052. (a) (1) The single multiple measures public school accountability system authorized by Article 4.5 (commencing with Section 52059.5) shall measure the overall performance of numerically significant pupil subgroups in schools, including charter schools, school districts, and county offices of education.

(2) For purposes of this section, numerically significant pupil subgroups include all of the following:

- (A) Ethnic subgroups.
- (B) Socioeconomically disadvantaged pupils.
- (C) English learners; learners and, separately, long-term English learners.
- (D) Pupils with disabilities.
- (E) Foster youth.
- (F) Homeless youth.

(3) (A) For purposes of this section, a numerically significant pupil subgroup is one that consists of at least 30 pupils.

(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

(b) To complement the multiple measures system, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work.

(c) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the multiple measures system.

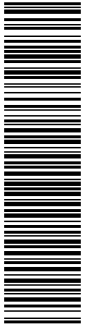
(d) For purposes of the statewide system of support established pursuant to Article 4.5 (commencing with Section 52059.5), or any successor system, alternative schools include schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools, dropout recovery high schools, and opportunity schools.

(e) For purposes of this section, the following terms shall have the following meanings:

(1) "Dropout recovery high school" means a school offering instruction in any of grades 9 to 12, inclusive, in which 50 percent or more of its pupils are either designated as dropouts pursuant to the exit and withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days and the school provides instruction in partnership with any of the following:

(A) The federal Workforce Innovation and Opportunity Act (Public Law 113-128).

(B) Federally affiliated Youthbuild programs (29 U.S.C. Sec. 3226 et seq.).



(C) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider.

(D) The California Conservation Corps or local conservation corps certified by the California Conservation Corps pursuant to Section 14406 or 14507.5 of the Public Resources Code.

(2) "Homeless youth" has the same meaning as in Section 11434a(2) of Title 42 of the United States Code.

(f) For any program identified in law that utilized a calculation pursuant to the former Academic Performance Index established pursuant to this section, as this section read on January 1, 2018, the 2013 growth calculation shall be applied for those purposes. For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.

SEC. 25. Section 52062 of the Education Code is amended to read:

52062. (a) Before the governing board of a school district considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the parent advisory committee established pursuant to Section 52063 for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the parent advisory committee.

(2) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52063, if applicable, for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The superintendent of the school district shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a school district to produce printed notices or to send notices by mail. The superintendent of the school district shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The superintendent of the school district shall review school plans submitted pursuant to Section 64001 for schools within the school district and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The superintendent of the school district shall consult with its special education local plan area administrator or administrators to determine that specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and



are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The superintendent of the school district shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district.

(B) The report shall include both of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) Midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by paragraph (1) of subdivision (a) of Section 42127.

(2) A governing board of a school district shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to paragraph (2) of subdivision (a) of Section 42127.

(c) A governing board of a school district may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. A governing board of a school district may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

SEC. 26. Section 52064 of the Education Code is amended to read:

52064. (a) On or before March 31, 2014, the state board shall adopt a template for a local control and accountability plan and an annual update to the local control and accountability plan for the following purposes:

(1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

(2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

(3) For use by charter schools to meet the requirements of Section 47606.5.

(b) On or before January 31, 2022, the template adopted by the state board shall require the inclusion of all of the following information:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subparagraph (A) of paragraph (5) of subdivision ~~(b)~~ (c) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, subdivision



(d) of Section 52060, or subdivision (d) of Section 52066, as applicable, and for any additional local priorities identified by the governing board of the school district, the county board of education, or in the charter school petition. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in subdivision (a) of Section 52052.

(2) A description of the specific actions that the school district, county office of education, or charter school will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1). The specific actions shall not supersede the provisions of existing local collective bargaining agreements, if any, within the jurisdiction of the school district, county office of education, or charter school.

(3) One or more summary tables listing and describing the budgeted expenditures for the ensuing fiscal year implementing each specific action included in the local control and accountability plan, including expenditures and specific actions for the ensuing fiscal year that will serve unduplicated pupils, as defined in Section 42238.02, and pupils redesignated as fluent English proficient. The summary table or tables shall include both of the following:

(A) The total overall expenditures for all specific actions included in the local control and accountability plan, broken down by personnel and nonpersonnel expenditures.

(B) The subtotals of expenditures for each specific action included in the local control and accountability plan broken down into the following categories:

(i) Funds apportioned under the local control funding formula pursuant to Section 42238.02.

(ii) All other state funds.

(iii) All local funds.

(iv) All federal funds.

(4) One or more summary tables listing and describing all of the specific actions and budgeted expenditures in paragraph (3) that contribute to the demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, grouped as follows:

(A) Specific actions and budgeted expenditures provided to all pupils on a districtwide, countywide, or charterwide basis.

(B) Specific actions and budgeted expenditures that are targeted only to one or more unduplicated pupil subgroups. For these specific actions, the description shall specify the unduplicated pupil subgroup or subgroups that are targeted by each specific action and, if not provided at all schools, the school or schools where the specific action is provided.

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.

(5) An estimate of the funds to be apportioned in the ensuing fiscal year on the basis of the number and concentration of unduplicated pupils and calculation of the



percent the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(6) (A) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(B) As part of the demonstration required by subparagraph (A), the summary tables required by paragraph (4) shall demonstrate both of the following:

(i) That the full proportionality obligation referenced in paragraph (1) of subdivision (a) of Section 42238.07 is being met annually through the listed actions and services.

(ii) Each action's quantitative contribution toward the proportionality obligation as expenditures or its qualitative contribution as a percentage of increased or improved services for unduplicated pupils over and above the level of services provided to all pupils, consistent with the regulations adopted by the state board pursuant to Section 42238.07.

(7) (A) A review of the progress toward the goals included in the existing local control and accountability plan, a review of any changes in the applicability of the goals, an assessment of the ~~effectiveness~~ effectiveness, or lack thereof, of the specific actions described in the existing local control and accountability plan toward achieving the goals, a description of changes to the specific actions and related expenditures or quality improvements the school district, county office of education, or charter school will make as a result of the review and assessment, and an update on progress implementing the specific actions in the current fiscal year, including estimated actual expenditures for the specific actions and actual quality improvements.

(B) Actions that have not proven effective over a three-year period of implementation shall be changed. The description of changes shall include an explanation of the reasons for lack of progress indicated by the analysis and how the action will be better addressed with a new or strengthened approach.

(8) (A) The calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07.

(B) If applicable to the school district, county office of education, or charter school pursuant to subdivision (d) of Section 42238.07, a description of the specific actions and related expenditures to be implemented using the funds specified in that paragraph, including a demonstration that the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(9) A plan summary that includes general information about the school district, county office of education, or charter school and highlights of the local control and accountability plan and annual update to the local control and accountability plan, including reflections on annual performance on the California School Dashboard authorized in Section 52064.5 and other local ~~data~~ data and, as applicable, a summary



of the work underway as part of technical assistance pursuant to Section 52071, 52071.5, 52072, or 52072.5.

(10) A summary of the stakeholder engagement ~~process~~ process, including stakeholders at schools generating funding pursuant to Section 42238.024, and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.

(11) For local educational agencies that receive concentration grant funding pursuant to Section 42238.02, a demonstration that the additional funding received as a result of the increased concentration grant add-on percent specified in subparagraph (B) of paragraph (1) of subdivision (f) of Section 42238.02 will be used to increase the number of credentialed staff, classified staff, or both of those, that provide direct services to pupils, including custodial staff, on school campuses with greater than 55-percent unduplicated pupil enrollment in the prior year as compared to the staff-to-pupil ratios at schools within the local educational agency with an unduplicated pupil enrollment in the prior year of 55 percent or less, if any.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) (1) The template for the local control and accountability plan and annual update to the local control and accountability plan shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The state board shall include instructions for school districts, county offices of education, and charter schools to complete the local control and accountability plan and annual update to the local control and accountability plan consistent with the requirements of this section. The state board may include more technical language in the instructions.

(2) Except as provided in paragraph (3), the state board shall not require school districts, county offices of education, or charter schools to provide any information in addition to the information required pursuant to subdivision (b).

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law, including meeting the requirements of Section 300.600 of Title 34 of the Code of Federal Regulations.

(e) (1) The process of developing and annually updating the local control and accountability plan should support school districts, county offices of education, and charter schools in comprehensive strategic planning, accountability, and improvement across the state ~~priorities~~ priorities, particularly to address and reduce disparities in opportunities and outcomes between pupil groups indicated by the California School Dashboard, and any locally identified priorities through meaningful engagement with local stakeholders.

(2) In developing the template for the local control and accountability plan and annual update to the local control and accountability plan, the state board shall ensure that school districts, county offices of education, and charter schools track and report their progress annually on all state priorities, including the applicable metrics specified within each state priority and, for charter schools, in accordance with Section 47606.5.

(3) For each action and budgeted expenditure provided to all pupils on a districtwide, countywide, or charterwide basis pursuant to Section 42238.07, one or



more specific metrics to monitor the intended outcome of that action and budgeted expenditure shall be identified.

(3)

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools should prioritize the focus of the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan within one or more state priorities. The instructions shall further specify that school districts, county offices of education, and charter schools ~~should~~ shall consider their performance on the state and local indicators, including their locally collected and reported data for the local indicators, that are included in the California School Dashboard authorized in Section 52064.5 in determining whether and how to prioritize the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan.

(4)

(5) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners.

~~(5) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that meet the criteria to receive technical assistance pursuant to Section 47607, 47607.2, 52071, or 52071.5, as applicable, based on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal in the local control and accountability plan focused on improving the performance of the pupil subgroup or subgroups.~~

~~(6) (A) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that, for any school district or county office of education with a school that meets the criteria described in subparagraph (B), the school district or county office of education shall include a goal in the local control and accountability plan focused on addressing the disparities in performance at the school or schools compared to the school district or county office of education as a whole.~~

~~(B) The requirement described in subparagraph (A) shall apply for any local educational agency with two or more schools if, for two consecutive years, a school receives the two lowest performance levels on all but one of the state indicators for which the school receives performance levels on the California School Dashboard pursuant to subdivision (d) of Section 52064.5 and the performance of the local educational agency for all pupils is at least one performance level higher on all of those indicators.~~

(6) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools shall include focused goals in the local control and accountability plan when one or more of the criteria specified in this paragraph are met. The focused goal



shall be specific to improving performance and addressing the area of need and shall be limited to new or modified actions, or both, to support improvement. Local educational agencies are required to include focused goals if they meet either or both of the following criteria:

(A) A school or pupil group within a local educational agency, or a pupil group within a school, received the lowest performance level on one or more state indicators on the California School Dashboard pursuant to Section 52064.5.

(B) A school within a local educational agency receives funding pursuant to Section 42238.024. Focused goals for a school receiving funding pursuant to Section 42238.024 shall address both of the following:

(i) Any underlying issues in the credentialing and subject matter preparation of the schools' educators, if applicable.

(ii) Any pupil group that receives the lowest performance level on one or more state indicators on the California School Dashboard pursuant to Section 52064.5.

(f) (1) Except as provided in subdivision (g), the state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(2) Notwithstanding paragraph (1), the state board may adopt or revise the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This paragraph shall become inoperative on January 31, 2019.

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session, legislation passed during the 2019–20 Regular Session, or Assembly Bill 130 of the 2021–22 Regular Session shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(h) Revisions to a template shall be approved by the state board by January 31 before the fiscal year during which the template is to be used by a school district, county superintendent of schools, or charter school.

(i) In developing the template, the state board shall take steps to minimize duplication of effort at the local level to the greatest extent possible. The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board,



unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

(j) Notwithstanding any other law, the templates developed by the state board pursuant to this section, as it read on June 30, 2018, shall continue in effect until the state board adopts a new template pursuant to subdivision (b) on or before January 31, 2020, except that the state board may adopt revisions to those templates pursuant to subdivision (g) that are necessary to implement Assembly Bill 1808 of the 2017–18 Regular Session or meet federal requirements.

SEC. 27. Section 52064.5 of the Education Code is amended to read:

52064.5. (a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:

(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(2) To assist a county superintendent of schools, the department, or a chartering authority in identifying school districts, county offices of education, and charter schools in need of technical assistance pursuant to Section 52071, 52071.5, or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.

(3) To assist the Superintendent in identifying school districts and county offices of education for which intervention pursuant to Section 52072 or 52072.5, as applicable, is warranted.

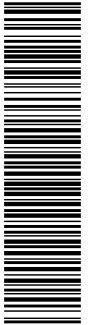
(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.

(c) As part of the evaluation rubrics, the state board shall adopt state and local indicators to measure school district and individual schoolsite performance in regard to each of the state priorities described in subdivision (d) of Section 52060. No later than January 31, 2021, local indicators shall reflect school-level data to the extent the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide.

(d) The state board may adopt alternate methods for calculating the state and local indicators described in subdivision (c) for alternative schools, as described in subdivision (d) of Section 52052, if appropriate to more fairly evaluate the performance of these schools or of a specific category of these schools. Alternate methods may include an individual pupil growth model.

(e) (1) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060. The standards shall be based on the state and local indicators specified in subdivision (c).

(2) No later than January 31, 2020, the standards for local indicators shall, at a minimum, ensure that the governing board of a school district, the county board of education, and the governing body of a charter school review any data to be publicly



reported for the local indicators in conjunction with the adoption of a local control and accountability plan pursuant to Section 52062, 52068, or 47606.5, as applicable. No later than January 31, 2021, the standards for local indicators for which the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide shall, to the extent practicable, be based on objective criteria, which may include, but are not necessarily limited to, the extent of any disparities across schoolsites within a school district or county office of education or performance relative to statewide data.

(f) (1) The department, in collaboration with, and subject to the approval of, the executive director of the state board, shall develop and maintain the California School Dashboard, a ~~Web-based~~ web-based system for publicly reporting performance data on the state and local indicators included in the evaluation rubrics.

(2) The public reporting of performance data on state and local indicators via the web-based system shall be completed on or before the following dates for the prior school year:

(A) December 1, 2023.

(B) November 15, 2024.

(C) November 1, 2025.

(D) October 15, 2026, and October 15 of each year thereafter.

(3) Timelines associated with the collection of data through the California Longitudinal Pupil Achievement Data System pursuant to Section 60900 shall be adjusted to support the public reporting dates in paragraph (2).

(g) As part of the evaluation rubrics, the state board shall adopt performance criteria for local educational agency assistance and intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5. The criteria shall be based on performance by pupil subgroups either across two or more of the state and local indicators specified in subdivision (c) or across two or more of the state priorities described in subdivision (d) of Section 52060 and subdivision (d) of Section 52066.

SEC. 28. Section 52065 of the Education Code is amended to read:

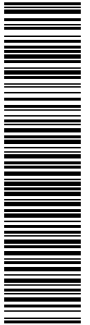
52065. (a) The superintendent of a school district shall do both of the following:

(1) Prominently post on the homepage of the internet website of the school district any local control and accountability plan approved by the governing board of the school district and the county superintendent of schools, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing board of the school district.

(2) Prominently post all local control and accountability plans submitted by charter schools that were authorized by the school district, or links to those plans, and any updates, revisions, or addenda, including those to comply with federal law, on the internet website of the school district.

(b) A county superintendent of schools shall do all of the following:

(1) Prominently post on the homepage of the internet website of the county office of education any local control and accountability plan approved by the county board of ~~education~~, education and the Superintendent, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the county board of education.



(2) Prominently post all local control and accountability plans submitted by school districts and charter schools, or links to those plans, on the internet website of the county office of education.

(3) Transmit or otherwise make available to the Superintendent all local control and accountability plans submitted to the county superintendent of schools by school districts and charter schools, and the local control and accountability plan approved by the county board of education.

(c) The Superintendent shall post links to all local control and accountability plans approved by the governing boards of school districts, county boards of education, and the governing bodies of charter schools, on the internet website of the department.

SEC. 29. Section 52066 of the Education Code is amended to read:

52066. (a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

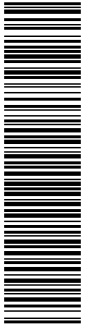
(d) All of the following are state priorities for purposes of a county board of education's local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or former Section 60811.4, as that section read on June 30, 2016, for purposes of gaining academic content knowledge and English language proficiency.

(3) (A) Parental involvement and family engagement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(B) Family engagement may include, but need not be limited to, efforts by the school district and each individual schoolsite to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting pupil success, and empowering families to advocate for equity and access. Family engagement may include, but need not be limited to, treating



families as partners to inform, influence, and create practices and programs that support pupil success and collaboration with families and the broader community, expand pupil learning opportunities and community services, and promote civic participation.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of pupils who have successfully completed both types of courses described in subparagraphs (B) and (C).

(E) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

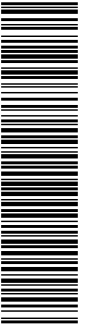
(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.



(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will



take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.

(iii) Providing any other support to school districts and schools within the county in implementing this article.

(iv) Providing support to school districts in developing and implementing the addendum specified in Section 52064.3.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

~~(3) This subdivision shall not apply to a county superintendent of schools with jurisdiction over a single school district.~~

~~(4)~~

(3) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department's internet website.

SEC. 30. Section 52068 of the Education Code is amended to read:

52068. (a) Before the county board of education considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to a parent advisory committee established pursuant to Section 52069 for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the parent advisory committee.

(2) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52069, if applicable, for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The county superintendent of schools shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a county superintendent



of schools to produce printed notices or to send notices by mail. The county superintendent of schools shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The county superintendent of schools shall review school plans submitted pursuant to Section 64001 for schools operated by the county superintendent of schools and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The county superintendent of schools shall consult with its special education local plan area administrator or administrators to determine that specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The county superintendent of schools shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year, at a regularly scheduled meeting of the county board of education.

(B) The report shall include all of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) Midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) The county board of education shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan, and any comments received pursuant to paragraphs (1) to (3), inclusive, of subdivision (a), will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by Section 1620.

(2) The county board of education shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the county board of education adopts a budget pursuant to Section 1622.

(c) A county superintendent of schools may develop and present to a county board of education for adoption revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The county board of education may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

SEC. 31. Section 52070 of the Education Code is amended to read:



52070. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.

(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The governing board of a school district shall consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

(d) The county superintendent of schools shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if the county superintendent of schools determines all of the following:

(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

(A) If applicable to the school district, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (4) of subdivision (e) of Section 52064.

(B) If applicable to the school district, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to subparagraph (A) of paragraph (5) of subdivision (e) of Section 52064.

(C) If applicable to the school district, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to subparagraph (B) of paragraph (5) of subdivision (e) of Section 52064.

(D) Each specific action identified as contributing to the demonstration that the school district will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, subdivisions (c), (d), and (e) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or districtwide basis is supported by the required description.

(E) If applicable to the school district, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis



of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

(F) For school districts that meet the criteria of Section 52071 or 52072, or both, the local control and accountability plan includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification.

(2) The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the governing board of the school district, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 42238.02 and 42238.03, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including, but not limited to, the requirement that any specific action provided on a schoolwide or districtwide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the school district pursuant to subdivision (d) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(e) If a county superintendent of schools has jurisdiction over a single school district, the Superintendent shall perform the duties specified in this section.

SEC. 32. Section 52070.5 of the Education Code is amended to read:

52070.5. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the county board of education shall file the local control and accountability plan or annual update to the local control and accountability plan with the Superintendent.

(b) On or before August 15 of each year, the Superintendent may seek clarification, in writing, from the county board of education about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the county board of education shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the county board of education, the Superintendent may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The county board of education shall consider the recommendations submitted by the Superintendent in a public meeting within 15 days of receiving the recommendations.

(d) The Superintendent shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if the Superintendent determines all of the following:



(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

(A) If applicable to the county office of education, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (4) of subdivision (e) of Section 52064.

(B) If applicable to the county office of education, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to subparagraph (A) of paragraph (5) of subdivision (e) of Section 52064.

(C) If applicable to the county office of education, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to subparagraph (B) of paragraph (5) of subdivision (e) of Section 52064.

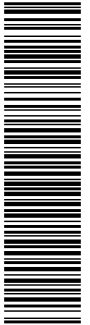
(D) Each specific action identified as contributing to the demonstration that the county office of education will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, subdivisions (c), (d), and (e) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or countywide basis is supported by the required description.

(E) If applicable to the county office of education, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to satisfy the requirement to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

(F) For county offices of education that meet the criteria of Section 52071 or 52072, or both, the local control and accountability plan includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification.

(2) The budget for the applicable fiscal year adopted by the county board of education includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the county board of education, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 2574 and 2575, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including, but not limited



to, the requirement that any specific action provided on a schoolwide or countywide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the county office of education pursuant to subdivision (d) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

SEC. 33. Section 52071 of the Education Code is amended to read:

52071. (a) If the governing board of a school district requests technical assistance, the county superintendent of schools shall provide technical assistance consistent with ~~paragraphs~~ paragraph (1) or (2) of subdivision (c). If a school district has not been identified for technical assistance pursuant to subdivision (c) or for state intervention pursuant to subdivisions (b) and (c) of Section 52072, and if the service requested creates an unreasonable or untenable cost burden for the county superintendent of schools, the county superintendent of schools may assess the school district a fee not to exceed the cost of the service.

(b) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, the county superintendent of schools shall provide technical assistance focused on revising the local control and accountability plan or annual update so that it can be approved.

(c) For any school district for which one or more pupil subgroups identified pursuant to Section 52052 meets the criteria established pursuant to subdivision (g) of ~~Section 52064.5, 52064.5~~ or for any school district that fails to submit data to the department pursuant to Section 60900 by the specified deadline, the county superintendent of schools shall provide technical assistance for a minimum of two years following the identification that shall be focused on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs, including, but not limited to, any of the following:

(1) Assisting the school district to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060. This shall include working collaboratively with the school district to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of ~~Section 52064.5 52064.5~~ including educator qualifications data and other relevant local data, and data to identify effective, evidence-based programs or practices that address any areas of weakness.

(2) Working collaboratively with the school district to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the school district. The county superintendent of schools, in consultation with the school district, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the school district in need of technical assistance.

(3) Obtaining from the school district timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or substantially



similar activities, or has selected another service provider pursuant to subdivision (f) to work with the school district to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the school district to assess the school district's progress in improving pupil outcomes.

(4) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the school district, pursuant to subdivision (g) of Section 52074.

(5) A review of the school district's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(d) Upon request of a county superintendent of schools or a school district, a geographic lead agency identified pursuant to Section 52073 may provide technical assistance pursuant to subdivision (c). A geographic lead agency identified pursuant to Section 52073 may request that another geographic lead agency, an expert lead agency identified pursuant to Section 52073.1, a special education resource lead identified pursuant to Section 52073.2, or the California Collaborative for Educational Excellence provide the assistance described in this subdivision.

(e) A school district shall accept the technical assistance provided by the county superintendent of schools pursuant to subdivisions (b) and (c). For purposes of accepting technical assistance provided by the county superintendent of schools pursuant to subdivision (c), a school district may satisfy this requirement by providing the timely documentation to, and maintaining regular communication with, the county superintendent of schools as specified in paragraph (3) of subdivision (c).

(f) For any school district in which one or more pupil subgroups, identified pursuant to Section 52052, meets the criteria pursuant to subdivision (g) of Section 52064.5 for three or more consecutive years, the school district's geographic lead agency, identified pursuant to Section 52073, shall, in collaboration with the county superintendent of schools, provide technical assistance to the school district pursuant to subdivision (c). The geographic lead agency shall evaluate whether the assistance of one or more expert lead agencies should be consulted as part of the technical assistance process.

(f)

(g) This section shall not preclude a school district from soliciting technical assistance from entities other than its county superintendent of schools at its own cost.

SEC. 34. Section 52071.5 of the Education Code is amended to read:

52071.5. (a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance focused on revising the local control and accountability plan or annual update so that it can be approved.

(b) For any county office of education for which one or more pupil subgroups identified pursuant to Section 52052 meets the criteria established pursuant to subdivision (g) of Section 52064.5, or for any county office of education that fails to submit data to the department pursuant to Section 60900 by the specified deadline, the Superintendent shall provide technical assistance for a minimum of two years following



the identification that shall be focused on building the county office of education's capacity to develop and implement actions and services responsive to pupil and community needs, including, among other things, any of the following:

(1) Assisting the county office of education to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066. This shall include working collaboratively with the county office of education to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section ~~52064.5~~ 52064.5, including educator qualifications data and other relevant local data, and data to identify effective, evidence-based programs or practices that address any areas of weakness.

(2) Working collaboratively with the county office of education to secure assistance from an academic expert or team of academic experts to identify and implement effective programs that are designed to improve performance in any areas of weakness identified by the county office of education. The Superintendent, in consultation with the county office of education, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the county office of education in need of technical assistance.

(3) Obtaining from the county office of education timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or has selected another service provider to work with the county office of education to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the county office of education to assess the county office of education's progress in improving pupil outcomes.

(4) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the county office of education pursuant to subdivision (g) of Section 52074.

(5) A review of the county office of education's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(c) Technical assistance provided pursuant to this section at the request of a county board of education shall be paid for by the county board of education receiving assistance.

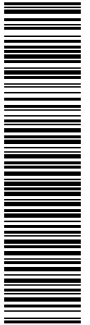
SEC. 35. Section 52072 of the Education Code is repealed.

~~52072. (a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.~~

~~(b) The Superintendent shall only intervene in a school district that meets both of the following criteria:~~

~~(1) The school district meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district's pupil subgroups, in three out of four consecutive school years.~~

~~(2) The California Collaborative for Educational Excellence has provided advice and assistance to the school district pursuant to Section 52071 and submits either of the following findings to the Superintendent:~~



~~(A) That the school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.~~

~~(B) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.~~

~~(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:~~

~~(1) Make changes to a local control and accountability plan adopted by the governing board of the school district.~~

~~(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.~~

~~(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.~~

~~(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.~~

~~(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.~~

SEC. 36. Section 52072 is added to the Education Code, to read:

52072. (a) If a school district meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district's pupil subgroups, in three out of four consecutive school years, the school district shall be deemed to have been referred to the California Collaborative for Educational Excellence.

(b) Technical assistance provided pursuant to this section shall be led by the California Collaborative for Educational Excellence, in collaboration with the county superintendent of schools with jurisdiction over the school district, and shall focus on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs pursuant to Section 52071 in a manner that streamlines improvement efforts for the school district.

SEC. 37. Section 52072.1 is added to the Education Code, to read:

52072.1. (a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

(b) The Superintendent shall only intervene in a school district identified pursuant to subdivision (a) of Section 52072 and where the California Collaborative for Educational Excellence determines that the school district meets either of the following criteria:

(1) The school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.



(2) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the governing board of the school district.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on the Superintendent's behalf.

(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct the Superintendent to exercise any of the powers and authorities specified in this section.

SEC. 38. Section 52072.5 of the Education Code is repealed.

~~52072.5.—(a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.~~

~~(b) The Superintendent shall only intervene in a county office of education that meets both of the following criteria:~~

~~(1) The county office of education meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education's pupil subgroups, in three out of four consecutive school years.~~

~~(2) The California Collaborative for Educational Excellence has provided advice and assistance to the county office of education pursuant to Section 52071.5 and submits either of the following findings to the Superintendent:~~

~~(A) That the county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.~~

~~(B) That the inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.~~

~~(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:~~

~~(1) Make changes to a local control and accountability plan adopted by the county board of education.~~

~~(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow~~



the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

~~(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.~~

~~(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.~~

~~(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.~~

SEC. 39. Section 52072.5 is added to the Education Code, to read:

52072.5. (a) If a county office of education meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education's pupil subgroups, in three out of four consecutive school years, the county office of education shall be deemed to have been referred to the California Collaborative for Educational Excellence.

(b) Technical assistance provided pursuant to this section shall be led by the California Collaborative for Educational Excellence, in collaboration with the department, and shall focus on building the county office of education's capacity to develop and implement actions and services responsive to pupil and community needs pursuant to Section 52071.5 in a manner that streamlines improvement efforts for the county office of education.

SEC. 40. Section 52072.6 is added to the Education Code, to read:

52072.6. (a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.

(b) The Superintendent shall only intervene in a county office of education identified pursuant to subdivision (a) of Section 52072.5 and where the California Collaborative for Educational Excellence determines that the county office of education meets either of the following criteria:

(1) The county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence pursuant to Section 52072.5.

(2) The inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the county board of education.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.



(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on the Superintendent's behalf.

(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct the Superintendent to exercise any of the powers and authorities specified in this section.

SEC. 41. Section 52073.5 is added to the Education Code, to read:

52073.5. (a) (1) By March 1, 2024, the California Collaborative for Educational Excellence and the department shall select, subject to approval by the executive director of the state board, local educational agencies, or a consortium of local educational agencies, to serve as Equity Leads within the system of support to conduct the activities required pursuant to this section.

(2) The process to select the Equity Leads shall ensure that no fewer than two Equity Leads and no more than four Equity Leads are selected in a manner that provides for statewide coverage. The Equity Leads shall be selected for a term not to exceed five years.

(b) The Equity Leads selected pursuant to subdivision (a) shall demonstrate a willingness and capacity to do all of the following:

(1) Work collaboratively with the California Collaborative for Educational Excellence, the department, and other lead agencies in the system of support to advance the purpose of the statewide system of support specified in subdivision (b) of Section 52059.5.

(2) Partner with other subject matter experts across the state, including, but not limited to, the Community Engagement Initiative, California Community Schools Partnership Program Regional Technical Assistance Center, Local Literacy Lead Agencies, and Statewide System of Support for Expanded Learning.

(3) Develop and disseminate resources on effective practices for analyzing programs, identifying barriers and opportunities, and implementing actions and services to meet the identified needs of all pupils, including by addressing racial disparities.

(4) Understand the local control and accountability plan and how to use the local control and accountability plan for strategic planning, including, but not limited to, by:

(A) Analyzing data to understand pupil needs and helping others understand the data.

(B) Assisting practitioners in implementing and monitoring changes to practice to meet the needs of all pupils, including by addressing racial disparities in opportunities and academic outcomes and aligning to the technical assistance provided pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5.

(C) Including diverse and underrepresented pupils, families, and communities in decisionmaking processes in school settings.

(c) The Equity Leads shall have all of the following responsibilities:

(1) Partnering with the local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024, to analyze programs, identify barriers and opportunities, and implement



actions and services to meet the identified needs of all pupils, including by addressing racial disparities.

(2) Supporting the work of local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024, in developing and implementing programs and supports that address racial disparities in opportunities and academic outcomes.

(3) Identifying existing resources, including support for educator preparation; recruitment, retention, and professional development activities; instructional coaching; and other efforts currently available to address disparities, including racial disparities, in pupil outcomes, and sharing these resources with local educational agencies, prioritizing those receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024.

(4) Monitoring the impact of the implementation of local control and accountability plan goals pursuant to subparagraph (B) of paragraph (5) of subdivision (e) of Section 52064, and reporting on the best practices developed and outcomes.

(d) Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, the sum of ____ dollars (\$____) is hereby appropriated to the department from the General Fund to be awarded to local educational agencies serving as Equity Leads pursuant to this section.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (d) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the appropriation is made, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the appropriation is made.

SEC. 42. Section 52074 of the Education Code is amended to read:

52074. (a) The California Collaborative for Educational Excellence is hereby established.

(b) The purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan adopted pursuant to this article. The California Collaborative for Educational Excellence shall achieve this purpose by facilitating continuous improvement for local educational agencies within California’s system of public school support.

(c) The California Collaborative for Educational Excellence shall be governed by a board consisting of the following five members:

(1) The Superintendent or the Superintendent’s designee.

(2) The president of the state board or the president of the state board’s designee.

(3) A county superintendent of schools appointed by the Senate Committee on Rules.

(4) A teacher appointed by the Speaker of the Assembly.

(5) A superintendent of a school district appointed by the Governor.

(d) The governing board of the California Collaborative for Educational Excellence shall select, and direct the administrative agent provided for in subdivision



(e) to hire, the executive director of the California Collaborative for Educational Excellence and provide policy and program direction.

(e) The department, in consultation with the executive director of the state board and with the approval of the Department of Finance, shall enter into a memorandum of understanding with a local educational agency, or consortium of local educational agencies, to serve as the administrative agent for the California Collaborative for Educational Excellence. The administrative agent shall operate all aspects of the California Collaborative for Educational Excellence in accordance with the terms of the memorandum of understanding entered into with the state, applicable statutes, and the policy and program direction of the governing board of the California Collaborative for Educational Excellence.

(f) Pursuant to the policy and program direction of the governing board of the California Collaborative for Educational Excellence, the administrative agent shall contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success to carry out the purposes of this article. The areas of expertise, experience, and record of success shall include, but are not limited to, all of the following:

(1) State priorities as described in subdivision (d) of Section 52060, including the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5.

(2) Improving the quality of teaching.

(3) Improving the quality of school district and schoolsite leadership.

(4) Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

(g) (1) The California Collaborative for Educational Excellence may accept a request or referral to advise and assist a school district, county superintendent of schools, or charter school pursuant to paragraph (2) or in either of the following circumstances:

(A) If the county superintendent of schools of the county in which the school district or charter school is located determines, following the provision of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the geographic lead agency of that county identified pursuant to Section 52073 agrees, that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district or charter school accomplish the goals described in the local control and accountability plan adopted pursuant to this article.

(B) If the Superintendent determines that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district, county superintendent of schools, or charter school accomplish the goals set forth in the local control and accountability plan adopted pursuant to this article.

(2) (A) If a school district receives an emergency apportionment pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3, the school district shall be deemed to have been referred to the California Collaborative for Educational Excellence.

(B) If the California Collaborative for Educational Excellence provides assistance to a school district referred pursuant to this paragraph, the California Collaborative for Educational Excellence shall conduct a systemic review of the school district to identify needs and strategies to improve pupil academic achievement, including, but not limited



to, needs identified pursuant to Sections 52052, 52064.5, and 52071. Based on the results of the systemic review, the California Collaborative for Educational Excellence shall coordinate and facilitate the assistance provided to the school district by governmental agencies to provide coherent and effective support consistent with the purpose of the statewide system of support specified in Section 52059.5. The governmental agencies may include, among others, the department, the local county superintendent, the applicable geographic lead agency, and the County Office Fiscal Crisis and Management Assistance Team. It is the intent of the Legislature that no single governmental agency providing assistance in partnership with other governmental agencies bear the full cost of assistance.

(3) Outside of the processes described in paragraphs (1) and (2), only a school district, county office of education, or charter school that requests that is eligible for technical assistance pursuant to Section 52071, 52071.5, or 47607.3 may request the advice and assistance of the California Collaborative for Educational Excellence. A school district, county office of education, or charter school that requests advice and assistance pursuant to this paragraph shall reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

(4) Notwithstanding paragraphs (1), (2), and (3), the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8 may request the advice or assistance of the California Collaborative for Educational Excellence and shall reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

(h) To the extent authority is provided in the annual Budget Act, a school district at risk of qualifying for state intervention pursuant to subdivision (b) of Section 52072 shall have priority for direct technical assistance from the California Collaborative for Educational Excellence.

(i) In addition to the functions described in subdivision (g), the California Collaborative for Educational Excellence shall do both of the following:

(1) Facilitate professional development activities that increase the capacity of local educational agencies to improve pupil outcomes in alignment with state priorities pursuant to Section 52060 and to improve performance on the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5. The California Collaborative for Educational Excellence shall provide professional development in partnership with state professional associations, nonprofit organizations, and public agencies. The governing board of the California Collaborative for Educational Excellence shall determine the extent of the training that is necessary to comply with this paragraph.

(2) Produce a professional development training calendar, to be posted on the California Collaborative for Educational Excellence's internet website, that publicizes all of the professional development activities offered pursuant to paragraph (1) at the local, regional, and state levels.

(j) The individuals with whom the administrative agent enters into employment contracts to carry out the purposes of this article shall be deemed employees of the administrative agent and eligible for participation in either the State Teachers' Retirement System or the Public Employees' Retirement System, as appropriate to the nature of the work to be performed by the employees.



(k) Receipt of any revenues not appropriated by the Legislature to the California Collaborative for Educational Excellence Excellence, including revenues received for assistance provided pursuant to paragraphs (3) and (4) of subdivision (g), shall be subject to approval by the governing board of the California Collaborative for Educational Excellence. The governing board of the California Collaborative for Educational Excellence shall ensure that all activities, regardless of fund source, are aligned with the purpose of the California Collaborative for Educational Excellence, as described in subdivision (b).

SEC. 43. Section 56195.1 of the Education Code is amended to read:

56195.1. The governing board of a district shall elect to do one of the following described in subdivision (a), (b), or (c):

(a) (1) If of sufficient size and scope, under standards adopted by the board, submit to the superintendent a local plan for the education of all individuals with exceptional needs residing in the district in accordance with Chapter 3 (commencing with Section 56205).

(2) From July 1, 2020, to July 1, ~~2024~~, 2026, inclusive, the governing board of a district shall not submit a local plan for the education of all individuals with exceptional needs residing in the district under paragraph (1) for the purpose of creating a single district special education local plan area.

(b) In conjunction with one or more districts, submit to the superintendent a local plan for the education of individuals with exceptional needs residing in those districts in accordance with Chapter 3 (commencing with Section 56205). The plan shall include, through joint powers agreements or other contractual agreements, all the following:

(1) Provision of a governance structure and any necessary administrative support to implement the plan.

(2) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the special education local plan area.

(3) Designation of a responsible local agency or alternative administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.

(c) Join with the county office, to submit to the superintendent a local plan in accordance with Chapter 3 (commencing with Section 56205) to assure access to special education and services for all individuals with exceptional needs residing in the geographic area served by the plan. The county office shall coordinate the implementation of the plan, unless otherwise specified in the plan. The plan shall include, through contractual agreements, all of the following:

(1) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the geographical area served by the plan.

(2) Designation of the county office, of a responsible local agency, or of any other administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.



(d) The service area covered by the local plan developed under subdivision (a), (b), or (c) shall be known as the special education local plan area.

(e) This section does not limit the authority of a county office and a district or group of districts to enter into contractual agreements for services relating to the education of individuals with exceptional needs. Except for instructional personnel service units serving infants, until a special education local plan area adopts a revised local plan approved pursuant to Section 56836.03, the county office or district that reports a unit for funding shall be the agency that employs the personnel who staff the unit, unless the combined unit rate and support service ratio of the nonemploying agency is equal to or lower than that of the employing agency and both agencies agree that the nonemploying agency will report the unit for funding.

(f) A charter school that is deemed a local educational agency for purposes of special education pursuant to Article 4 (commencing with Section 47640) of Chapter 6 of Part 26.8 shall participate in an approved local plan pursuant to subdivision (a), (b), or (c). A charter school may submit written policies and procedures to the department for approval by the board that establish compliance with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and implementing regulations, either individually, pursuant to subdivision (a) or with other charter schools pursuant to subdivision (b). The board shall review these policies and procedures, based on the criteria established pursuant to Section 56100. Upon approval by the board, these written policies and procedures shall become the local plan.

(g) The requirements of this section shall not be waived by the board pursuant to Section 56101 or any other law.

(h) The Superintendent shall post all local plans submitted by each special education local plan area on the internet website of the department.

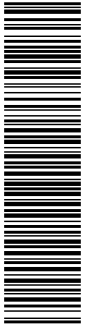
SEC. 44. Section 56836.148 of the Education Code is amended to read:

56836.148. (a) For the 2020–21 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (a) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) Section 56836.144 for the corresponding special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (b) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144 for the corresponding special education local plan area.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (c) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(d) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the base grant funding for each special education



local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (d) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(e) For purposes of calculating the base funding for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall make the following computations:

(1) For the 2020–21 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (1) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(2) For the 2021–22 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (2) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(3) For the 2022–23 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (3) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(4) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, multiply the amount of funding per unit of average daily attendance computed in paragraph (4) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(f) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall make publicly available the amount of special education funding each local educational agency generates for their special education local plan area pursuant to subdivisions (c) and (d).

(g) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, each special education local plan area shall report to their member local educational agencies no later than 30 days after receiving their apportionment the amount of funding each local educational agency generates pursuant to subdivisions (c) and (d).

(h) For the 2023–24 fiscal year, each special education local plan area shall, at minimum, allocate a total sum of funding to all of their member local educational agencies equal to the total sum allocated to all of their member local educational agencies in the 2022–23 fiscal year multiplied by the sum of one plus the inflation factor, as defined in paragraph (1) of subdivision (b) of Section 56836.142 for the 2023–24 fiscal year.

SEC. 45. Section 60642.7 of the Education Code is amended to read:

60642.7. (a) The interim assessments offered by the department to local educational agencies, including those offered pursuant to Section 60642.6, are intended for the purposes of improving teaching and pupil learning. Results of the assessments may be used to provide timely feedback to teachers that they may use to continually adjust instruction to improve learning, for communication with pupils' parents or guardians, and for use by teachers in identifying professional development goals.



(b) Results from the interim assessments offered by the department, including those offered pursuant to Section 60642.6, shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, pupil grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

SEC. 46. Section 60900.5 of the Education Code is amended to read:

60900.5. (a) The California College Guidance Initiative (CCGI), as defined in Section 10861, is hereby authorized to provide its services to all ~~California school districts~~ local educational agencies.

(b) In furtherance of paragraph (5) of subdivision (b) of Section 10867, the department shall enter into a memorandum of understanding with the CCGI, as authorized in subdivision (a), to accomplish all of the following:

(1) Share course level data from each local educational agency to validate, as they are submitted to the California Longitudinal Pupil Achievement Data System (CalPADS), if the course meets the requirements of A–G coursework, as defined in Section 10861.

(2) Share pupil course level data to inform individual pupil accounts on the operational tools.

(3) Collect additional data elements to ensure proper functioning and to incentivize use of the operational tools.

(4) Share pupil level data with the Student Aid Commission, postsecondary educational institutions, and programs that support college and career planning, application, and transition, as permitted under the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(5) Notwithstanding subdivision (g) of Section 10860 and subdivision (c) of Section 10863, fully effectuate the intent of the Cradle-to-Career Data System Act pursuant to Chapter 8.5 (commencing with Section 10850) of Part 7 of Division 1 of Title 1.

(c) The department shall provide guidance to local educational agencies through CalPADS to clarify data standards and promote best practices. The department shall refer local educational agencies to CCGI for technical assistance in reconciling discrepancies between A–G coursework, as listed in their local pupil information system, and how those courses are registered in the course management portal at the office of the President of the University of California, or a successor A–G course management portal.

(d) The department shall ~~ensure that the notifications provided by~~ notify local educational agencies, agencies of the additional use of CalPADS data and advise local educational agencies to include in their annual parent notifications, as required by the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), ~~include appropriate content related to all of the following:~~ that the CalPADS data will now:

(1) ~~CalPADS data shall be~~ Be shared with the CCGI.

(2) ~~CalPADS pupil level data shall be~~ Be used to provide pupils and families with direct access to online tools and resources.

(3) ~~A~~ Enable a pupil may to transmit information shared with the CCGI to both of the following:



(A) Postsecondary educational institutions for purposes of admissions and academic placement.

(B) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(e) The Legislature finds and declares its intent that the CCGI, upon full implementation of this section, provide all of the following services:

(1) A free college and career planning curriculum and internet website for grades 6 to 12, inclusive, designed to provide touch points three to six times per year.

(2) Financial aid curriculum for grades 9 to 12, inclusive.

(3) Support to ~~school districts~~ local educational agencies to plan for and monitor use of planning tools and curriculum.

(4) Tools to enable pupils and their families to determine if they are on track to meet college qualifications, based on their individual goals, and to allow authorized secondary school counselors to view the progress of individual pupils on meeting California State University and University of California eligibility requirements.

(5) Validation of data relating to A–G admission requirements in local pupil information systems that is flagged with respect to the University of California Course Management Portal.

(6) Technical assistance to ~~school districts~~ local educational agencies on data cleanup processes.

(7) Providing statewide pupil identification numbers to the California Community Colleges, the California State University, the University of California, and the Student Aid Commission so that information stored in local systems will improve matches for research purposes and the Cradle-to-Career Data System.

(8) Transcripts processed in near real time with the California Community Colleges, the California State University, the University of California, and the Student Aid Commission, using an application programming interface.

(9) Allow secondary school pupils to give permission to inform public colleges if they are a first-generation college student, homeless, migrant, or economically disadvantaged.

(10) Provide information on race or ethnicity, grade point average, high school graduation status, and where pupils applied to college to the Student Aid Commission through a faster application programming interface format.

(11) Prepopulation of California Community Colleges, California State University, and University of California application fields related to statewide pupil identification numbers, transcript data, demographic information, and other data elements that can reduce barriers for pupils.

(12) Development of new planning tools related to career and technical education pathways, apprenticeships, transfer options, and regional labor markets.

(13) Potential shift of data provision from ~~school districts~~ local educational agencies to the department.

(f) The scaling of the CCGI is further intended to address all of the following problems and state needs:

(1) Reduce equity gaps in college-going rates by ensuring that all pupils and their families have the information needed to develop college and career plans, starting in grade 6, and to secure financial aid.



(2) Enable secondary school counselors to monitor where pupils are applying and support them to complete applications.

(3) Identify secondary school courses that are incorrectly flagged as fulfilling California State University and University of California eligibility requirements compared to the University of California Course Management Portal.

(4) Reduce structural barriers by allowing pupils to launch college and financial aid applications from a single location, using one set of log on credentials.

(5) Ensure that pupils can easily and quickly transmit academic records to public postsecondary educational institutions when applying for admission.

(6) Share additional information with the Student Aid Commission to validate and reduce the time to determine eligibility for Cal Grant awards.

(7) Reduce the administrative burden on ~~school districts~~ local educational agencies and colleges to transmit and validate records.

(8) Strengthen data that can be used to match pupil records.

(g) On or before September 1, 2022, and on or before September 1 of each year thereafter, the Riverside County Office of Education shall report to the Director of Finance and the Joint Legislative Budget Committee regarding the annual budget for the CCGI as supported through the annual Budget Act. The annual report due on or before September 1, 2022, shall only address any changes to the first annual report provided in March 2022 pursuant to this subdivision. Each annual report thereafter shall include, but not necessarily be limited to, all of the following information:

(1) All other public and private sources of revenue.

(2) How prior fiscal year funds were spent and current fiscal year funds are budgeted to be spent.

(3) A budget change proposal, if any additional funds are being requested for the budget year.

(4) The names and locations of local educational agencies that have partnered with the CCGI, including identification of local educational agencies that were added in the prior fiscal year and are intended to be added in the budget year.

(5) The names of postsecondary educational agencies that have partnered with the CCGI, including identification of postsecondary educational agencies that were added in the prior fiscal year and the budget year and identification of any postsecondary educational agencies that terminated their partnership with the CCGI.

(6) Website analytics on identifying the number of accounts, types of activities completed, and the number of pupils that applied to college via the CCGI.

(7) Information on progress towards meeting the deliverables expected of the CCGI pursuant to subdivision (a).

SEC. 47. Item 6100-001-0001 of Section 2.00 of the Budget Act of 2022, as amended by Section 175 of Chapter 45 of the Statutes of 2022, is amended to read:

6100-001-0001—For support of State Department of Education.....	117,478,000
Schedule:	
(1) 5205010-Curriculum Services.....	86,107,000
(1.5) 5210048-After School Programs.....	1,717,000
(2) 5210066-Special Program Support.....	41,606,000
(3) 9900100-Administration.....	60,017,000



- (4) 9900200 - Administration —
Distributed..... -60,017,000
- (5) Reimbursements to
5205010-Curriculum Services..... -8,621,000
- (6) Reimbursements to 5210066-Special
Program Support..... -3,331,000

Provisions:

1. Notwithstanding Section 33190 of the Education Code or any other law, the State Department of Education shall not expend funds to prepare a statewide summary of pupil performance on school district proficiency assessments or a compilation of information on private schools with five or fewer pupils.
2. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:
 - (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Human Resources for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the California Victim Compensation Board.
3. The funds appropriated in this item shall not be expended for the development or dissemination of program advisories, including, but not limited to, program advisories on the subject areas of reading,

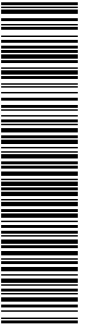


- writing, and mathematics, unless explicitly authorized by the State Board of Education.
4. Of the funds appropriated in this item, \$206,000 shall be available as matching funds for the Department of Rehabilitation to provide coordinated services to disabled pupils.
 5. By October 31 of each year, the State Department of Education shall provide to the Department of Finance a file of all charter school average daily attendance (ADA) and state and local revenue associated with charter school general purpose entitlements as part of the P2 Local Control Funding Formula File. By March 1 of each year, the State Department of Education shall provide to the Department of Finance a file of all charter school ADA and state and local revenue associated with charter school general purpose entitlements as part of the P1 Local Control Funding Formula File. It is the expectation that such reports will be provided annually.
 6. On or before April 15 of each year, the State Department of Education shall provide to the Department of Finance an electronic file that includes complete district- and county-level state appropriations limit information reported to the State Department of Education. The State Department of Education shall make every effort to ensure that all districts have submitted the necessary information requested on the relevant reporting forms.
 7. The State Department of Education shall make information available to the Department of Finance, the Legislative Analyst's Office, and the budget committees of each house of the Legislature by October 31, March 31, and May 31 of each year regarding the amount of Proposition 98 savings estimated to be available for reversion by June 30 of that year.
 8. Reimbursement expenditures pursuant to this item resulting from the imposition by the State Department of Education of a commercial copyright fee shall not be expended sooner than 30 days after the State Department of Education submits to the Department of Finance a legal opinion affirming the authority to impose such fees and the arguments supporting that position against any objections or legal challenges to the fee filed with the State Department of Education.



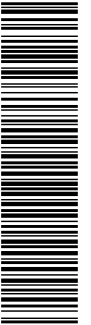
Any funds received pursuant to imposition of a commercial copyright fee may only be expended as necessary for outside counsel contingent on a certification of the Superintendent of Public Instruction that sufficient expertise is not available within departmental legal staff. The State Department of Education shall not expend greater than \$300,000 for such purposes without first notifying the Department of Finance of the necessity therefor, and upon receiving approval in writing.

9. Of the funds appropriated in this item, up to \$1,011,000 is available for dispute resolution services, including mediation and fair hearing services, provided through contract for special education programs.
10. Of the reimbursement funds appropriated in this item, at least \$612,000 is provided to the State Department of Education for the oversight of State Board of Education-authorized charter schools. The Department of Finance may administratively establish up to 2.0 positions for this purpose as workload materializes.
11. Of the funds appropriated in this item, at least \$109,000 shall be for 1.0 position within the State Department of Education to support activities associated with the Clean Energy Job Creation Fund.
12. Of the amount appropriated in this item, at least \$852,000 and 6.0 positions are provided to support the Local Control Funding Formula administration pursuant to Chapter 47 of the Statutes of 2013. These funds and positions shall be used by the State Department of Education to support the apportionment of, and fiscal oversight of, funding pursuant to the Local Control Funding Formula.
13. Of the funds appropriated in this item, at least \$115,000 and 1.0 position shall be available for the State Department of Education to support activities associated with charter school appeals as required under subdivision (k) of Section 47605 of the Education Code.
14. Of the funds appropriated in this item, at least \$1,140,000 and 8.0 positions are provided to support the implementation of the Local Control Funding Formula accountability system pursuant to Chapter 47 of the Statutes of 2013.
15. Of the funds appropriated in this item, at least \$120,000 and 1.0 permanent position is provided to



support implementation of the Local Control Funding Formula, such as providing unduplicated pupil counts, matching foster data received from the State Department of Social Services, and meeting foster youth reporting requirements.

16. Of the funds appropriated in this item, \$271,000 and 2.0 positions are provided to continue the development and maintenance of the state and federal accountability systems.
17. Of the funds appropriated in this item, \$129,000 is provided to support 1.0 existing position for workload associated with school district reorganizations.
18. Of the funds appropriated in this item, \$108,000 is provided to support 1.0 existing position to assist local educational agencies applying for a universal meal service program, pursuant to Chapter 724 of the Statutes of 2017.
19. Of the funds appropriated in this item, \$128,000 is provided to support 1.0 existing position to complete additional education equity compliance reviews, pursuant to Chapter 493 of the Statutes of 2017.
20. Of the funds appropriated in Schedule (1), \$252,000 shall be used to support the development and maintenance of a computer-based English Language Proficiency Assessment for California (ELPAC) and a computer-based alternative ELPAC for students with disabilities.
21. Of the funds appropriated in this item, \$257,000 is provided to support 2.0 existing positions for the coordination of a centralized Uniform Complaint Procedures process and database to improve the administration and resolution of Uniform Complaint Procedures complaints and appeals received by the State Department of Education; to standardize Uniform Complaint Procedures policies, procedures, and templates departmentwide; and to provide a report by January 31 of each year with a summary of the number of days for completion of appeals by complaint type and program area, including the rationale for complaints that exceeded 60 days.
22. Of the funds appropriated in this item, \$117,000 is to support activities associated with data collection and reporting required under the Districts of Choice program.



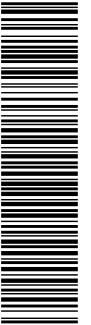
23. Of the funds appropriated in this item, \$600,000 is provided to support 2.0 existing positions and workload related to school-based comprehensive sexual health education.
24. Of the funds appropriated in this item, \$105,000 and 1.0 position are to support increases in emergency average daily attendance waiver requests.
25. Of the funds appropriated in this item, \$452,000 is provided for 3.0 positions to support compliance workload within the State Department of Education's Special Education Division.
26. Of the funds appropriated in this item, at least \$275,000 and 2.0 positions are provided to support the Career Technical Education Incentive Grant Program and the K–12 component of the Strong Workforce Program. Availability of these funds is contingent upon the State Department of Education fully supporting no fewer than 6.0 full-time regional program consultants in agricultural career technical education in the Agricultural Education Unit of the Career and College Transition Division using federal Perkins V Act funding. If the State Department of Education is unable to support at least 6.0 full-time regional program consultants in agricultural career technical education with federal Perkins V Act funding, \$142,000 and 1.0 position provided in this item to support the Career Technical Education Incentive Grant Program and the K–12 component of the Strong Workforce Program shall be redirected for that purpose. As a condition of receiving this funding, the State Department of Education shall make information available to the Department of Finance, the Legislative Analyst's Office, and the budget committees of each house of the Legislature by October 31 of each fiscal year regarding the split of the federal Perkins V Act funding between the State Department of Education and the Chancellor's Office of the California Community Colleges. This information shall include, but is not limited to, the maximum set-asides allowable for state administration and state leadership activities, the minimum amount required for local program distribution, as well as a breakdown of how the State Department of Education is utilizing the funds in each category.



27. Of the funds appropriated in this item, \$303,000 is provided to support 2.0 positions for the joint interagency resolution team and foster youth coordinated services pursuant to Chapter 815 of the Statutes of 2018.
28. Of the funds appropriated in this item, \$77,000 is provided to support 0.5 existing position to update existing, and develop new, resources and strategies, and in-service teacher training to support lesbian, gay, bisexual, transgender, queer, and questioning students, pursuant to Chapter 775 of the Statutes of 2019.
29. Of the funds appropriated in this item, \$77,000 is provided to support 1.0 position to provide appropriate language access in American Sign Language.
30. Of the funds appropriated in this item, \$696,000 and 3.0 positions are available for the department to collect data to track the implementation of the changes for charter school petitions and renewals, pursuant to Chapter 486 of the Statutes of 2019.
31. Of the amount provided in this item, \$192,000 reimbursements is provided on an ongoing basis to support the administration of the California High School Proficiency Examination.
32. Of the funds appropriated in this item, \$264,000 and 2.0 positions are provided to establish a state education disaster team to support activities related to disaster planning, preparedness, and response for schools as part of California's Disaster Preparedness, Response, and Recovery efforts.
33. Of the amount appropriated in this item, \$336,000 and 3.0 positions are available to support new ongoing workload for the School Fiscal Services Division related to deferrals and average daily attendance changes pursuant to Chapter 24 of the Statutes of 2020.
34. Of the amount appropriated in this item, \$136,000 and 1.0 position is provided to support workload related to creating a school emergency reporting system.
35. Of the amount appropriated in this item, \$12,598,000 is provided to support 52.8 existing positions in the Nutrition Services Division, and 30.0 positions in the Early Education Division to support remaining early learning workload after the transition of child care programs to the State Department of Social Services.



36. Of the funds appropriated in this item, \$376,000 and 3.0 positions are provided to support increased workload in the Accounting Office.
37. Of the funds appropriated in this item, \$1,200,000 is provided on a one-time basis for litigation costs related to the COVID-19 pandemic. These funds are available for encumbrance or expenditure until June 30, 2024.
38. Of the funds appropriated in Schedule (1), \$3,403,000 is provided to support existing authorized administrative positions.
39. Of the funds appropriated in Schedule (2), \$2,960,000 is provided to support existing authorized administrative positions.
40. Of the funds appropriated in Schedule (1), \$700,000 is provided to support 5.0 new positions and 1.0 existing position for the State Department of Education to establish the Office of School-Based Health.
41. Of the funds appropriated in this item, \$250,000 and 1.0 permanent position are provided to establish the California Computer Science Coordinator. The coordinator shall provide statewide coordination in implementing the computer science content standards developed pursuant to Section 60605.4 of the Education Code and lead the implementation of the computer science strategic implementation plan adopted by the State Board of Education. The State Department of Education shall provide a status update on the recruitment and hiring of the coordinator to the Department of Finance by March 15, 2022.
42. Of the funds appropriated in Schedule (2), \$530,000 and 3.5 positions are available in the 2021–22 fiscal year, \$538,000 and 3.5 positions are available in the 2022–23 and 2023–24 fiscal years, and \$425,000 and 2.5 positions are available thereafter to support workload associated with expanded Transitional Kindergarten programs.
43. Of the funds appropriated in Schedule (2), \$437,000 and 3.0 positions are available to support early learning workload in the Child Development and Nutrition Fiscal Services Division.
44. Of the funds appropriated in Schedule (2), \$1,670,000 and 3.0 positions are available to support early learning workload in the Early Education Division.



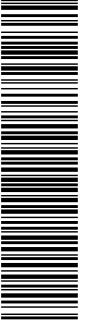
45. Of the funds appropriated in Schedule (2), \$2,583,000 and 11.7 positions are provided to support early learning workload.
46. Of the funds appropriated in Schedule (1), \$143,000 and 1.0 position are available for a Medi-Cal billing coordinator to serve as a liaison with the State Department of Health Care Services, stakeholders, and others with respect to Medi-Cal billing options, the school-based Medi-Cal Administrative Activities Program, and medically necessary federal Early and Periodic Screening, Diagnostic, and Treatment Benefits.
47. Of the funds appropriated in Schedule (1), \$467,000 and 4.0 positions are provided for the School Fiscal Services Division to support workload related to state apportionment calculations, review of average daily attendance waivers, technical assistance, and implementation of grant programs.
48. Of the funds appropriated in this item, \$3,900,000 is available in the 2022–23 and 2023–24 fiscal years for, and 29.5 permanent positions are provided for, workload related to implementing a universal school meals program.
49. Of the amount appropriated in this item, \$1,653,000 and 14.0 positions are provided for the Expanded Learning Division to provide students in classroom-based instructional programs with access to comprehensive after school and intersessional expanded learning opportunities.
50. Of the funds appropriated in this item, \$130,000 and 1.0 position is provided to support implementation of the Standardized Account Code Structure web-based application.
51. Of the amount appropriated in this item, at least \$286,000 and 2.0 positions are provided to support professional development programs, including, but not limited to, the National Board Certification Incentive Grant, the Educator Effectiveness Block Grant, Professional Development on Social Emotional Learning and Trauma Informed Practices, Professional Development for Reading Instruction and Intervention, Training for Youth Mental and Behavioral Health, and other teacher professional development.



52. Of the funds appropriated in this item, \$286,000 and 2.0 positions are provided to support the implementation of the universal school meals program.
53. Of the funds appropriated in this item, \$561,000 and 4.0 positions are provided to the School Fiscal Services Division for work related to the Expanded Learning and Transitional Kindergarten Programs.
54. Of the funds appropriated in this item, \$425,000 and 3.0 positions are provided for additional new formula-driven program implementation.
55. Of the funds appropriated in this item, \$155,000 and 1.0 position are provided to the Technology Services Division for Transitional Kindergarten average daily attendance data collection.
56. Of the funds appropriated in this item, \$742,000 and 5.0 positions are provided to support the Community Schools Partnership Grant Program and \$350,000 is provided on a one-time basis for a technical assistance contract to support initial grant recipients.
57. Of the funds appropriated in this item, \$143,000 and 1.0 position are provided to support the California Healthy Kids Survey and social-emotional learning professional development.
58. Of the funds appropriated in this item, \$143,000 and 1.0 position are provided for the Early Education Division to address increased workload in the California State Preschool Program.
59. Of the funds appropriated in this item, \$130,000 and 1.0 position are provided for the Fiscal and Administrative Services Division to address increased workload in the California State Preschool Program.
61. Of the funds appropriated in Schedule (1), \$201,000 is provided for 2.0 positions in the Office of School Transportation.
62. Of the funds appropriated in Schedule (1), \$161,000 and 1.0 position are provided to support the Supporting Inclusive Practices Grant.
63. Of the funds appropriated in Schedule (1), \$690,000 and 5.0 positions are provided to improve transitions from Part C Early Intervention Services to Part B Special Education Services.
64. Of the funds appropriated in Schedule (1), \$1,166,000 and 2.0 positions are available in the 2022–23 fiscal year, and \$266,000 and 2.0 positions are available



- thereafter, to support increased departmental information technology needs and workload.
65. Of the funds appropriated in Schedule (1), \$4,251,000 and 6.0 positions are available in the 2022–23 fiscal year, and \$1,022,000 and 6.0 positions are available thereafter to support departmental information security infrastructure.
 66. Of the funds appropriated in Schedule (1), \$161,000 and 1.0 position are provided through fiscal year 2024–25 to support implementation of the Dual Language Immersion Grant Program.
 67. Of the funds appropriated in Schedule (1), \$1,702,000 and 9.0 positions are provided to support implementation and ongoing workload for the Cradle-to-Career Data System.
 69. Of the funds appropriated in Schedule (1), \$383,000 and 3.0 positions are provided to the Budget Management Office to effectively support new and expanded programs and address increased workload due to Fi\$Cal implementation.
 70. Of the funds appropriated in Schedule (1), \$2,500,000 is provided on a one-time basis to support annual formative assessments for the California Community Schools Partnership Program. This funding shall be made available through fiscal year 2027–28.
 71. Of the amount appropriated in this item, \$159,000 and 1.0 positions are provided to coordinate improved access to early intervention services for children prior to entering kindergarten.
 72. Of the amount appropriated in this item, \$458,000 and 3.0 positions are provided to support the implementation of Chapter 29, Statutes of 2021 (AB 1363).
 73. Of the amount appropriated in this item, \$633,000 and 4.0 positions are provided for the programmatic monitoring of the California State Preschool Program.
 74. Of the amount appropriated in this item, \$119,000 and 1.0 position are appropriated for the fiscal monitoring of the California State Preschool Program.
 75. Of the amount appropriated in this item, \$436,000 and 2.5 positions are provided to support the implementation of Universal Transitional Kindergarten.



76. Of the funds appropriated in this item, \$90,000 and 0.5 position is provided to support fiscal compliance monitoring reviews of program funds.
77. Of the funds appropriated in this item, \$122,000 and 1.0 position is provided to support fund reconciliation workload.
78. Of the funds appropriated in this item, 1.0 position and \$213,000 one-time funds are provided to support an increase in legal workload related to new and expanded programs including Universal Transitional Kindergarten and the California State Preschool Program.
79. Of the funds appropriated in this item, \$167,000 is provided for Zoom licenses to host webinars and online meetings.
80. Of the funds appropriated in this item, \$500,000 is provided on a one-time basis for legal costs associated with the Kerri K., et al. v. State of California settlement.
81. Of the funds appropriated in this item, \$350,000 and 2.0 positions are provided to support increased workload related to operating the information technology systems used by the State Department of Education's early education programs.
82. Of the funds appropriated in this item, \$276,000 and 2.0 positions are provided to incorporate early identification for learning disabilities into the State Department of Education's preschool assessment tools, and to provide training for educators on effective use of those tools.
83. Of the funds appropriated in this item, \$1,028,000 and 7.0 positions are provided in the 2022–23 and 2023–24 fiscal years, decreasing to \$612,000 and 4.0 positions in the 2024–5 fiscal year and ongoing. The positions will support increased workload related to administering the Inclusive Early Education Expansion Program.
84. Of the funds appropriated in this item, \$891,000 and 6.0 positions in the 2022–23 and 2023–24 fiscal years, decreasing to \$769,000 and 5.0 positions in the 2024–25 fiscal year and ongoing. These positions will support increased workload related to revising California State Preschool Program policies.
85. Of the funds appropriated in this item, \$356,000 and 2.5 positions are provided to support workload



associated with expanded Transitional Kindergarten programs.

87. Of the amount provided in this item, \$75,000 reimbursements is provided through the 2026–27 fiscal year for state operations support of Fresno Unified School District in facilitation of grant funds from the Wallace Foundation.
88. Of the funds appropriated in this item, \$161,000 and 1.0 position are provided to support the development and expansion of California Science Test (CAST) and the California Alternate Assessment (CAA) for Science within the Assessment Development and Administration Division.
89. Of the funds appropriated in this item, \$161,000 and 1.0 position are provided to support the development and expansion of English Language Proficiency Assessments for California (ELPAC) and the California Spanish Assessment (CSA) within the Assessment Development and Administration Division.
90. Of the funds appropriated in this item, \$140,000 is provided through June 30, 2027, to provide technical assistance and support to local educational agencies in hiring and training literacy coaches and reading specialists through the Literacy Coaches and Reading Specialists Grant Program, pursuant to pending legislation.
91. Of the funds appropriated in this item, \$200,000 is provided to support the completion of an interim report and a final comprehensive report on the impact of the literacy coaches and reading specialists hired and trained through the Literacy Coaches and Reading Specialists Grant Program, pursuant to pending legislation. Funding shall be available for expenditure or encumbrance until December 31, 2029.
92. Of the amount provided in this item, \$500,000 reimbursements is provided annually through the 2024–25 fiscal year to accommodate increased collection of nonpublic school certification fees.
93. Of the funds appropriated in Schedule (1), \$1,069,000 and 8.0 positions are provided to the School Fiscal Services Division for workload related to the Local Control Funding Formula declining enrollment protection proposal, AB 602 Special Education



formula changes, and other fiscal-related workload for new programs.

94. Of the funds appropriated in Schedule (1), \$250,000 is available to the Superintendent of Public Instruction for fiscal oversight of county offices of education and the seven school districts in the state that share the same governing board as their county office of education for the services of a fiscal expert or advisor pursuant to Education Code Section 1630. The State Department of Education shall notify and receive approval from the Director of Finance in advance of retaining the services of a fiscal expert or fiscal advisor.
95. Of the funds appropriated in this item, \$150,000 and 1.0 position are provided to the School Health and Safety Office to support LGBTQ+ initiatives and best practices.
96. Of the funds appropriated in this item, \$636,000 is available to support the Preschool Development Grant renewal.

SEC. 48. Item 6100-172-0001 of Section 2.00 of the Budget Act of 2022, as amended by Section 181 of Chapter 45 of the Statutes of 2022, is amended to read:

- 6100-172-0001—For local assistance, State Department of Education (Proposition 98), for college planning and preparation internet website..... 26,500,000
- Schedule:
- (1) 5205227-Student Friendly Services..... 21,000,000
 - (2) 5205229-Online Educational Resources..... 5,500,000
- Provisions:
1. The funds appropriated in this item shall be apportioned to the Riverside County Office of Education.
 2. (a) The funds included in Schedule (1) shall be used to provide information regarding planning and preparation for postsecondary education and services related to matriculation to postsecondary educational institutions.
 - (b) The funds used in Schedule (2) shall be used at the direction of the State Librarian to make online educational resources publicly available.
 3. The Riverside County Office of Education shall report to the State Department of Education, the Director of



Finance, and the Legislature, pursuant to Section 9795 of the Government Code, regarding the expenditures supported by this appropriation and the number and categories of students who accessed services through the program funded through Schedule (1).

4. Of the amount appropriated in Schedule (1), \$4,400,000 is provided on a one-time basis to develop collaborative partnerships with regional county offices of education and higher education offices to support local educational agency utilization of the College and Career Guidance Initiative's statewide college and career planning tools. Funds available pursuant to this provision shall be available for encumbrance and expenditure until June 30, 2025.

SEC. 49. Section 129 of Chapter 52 of the Statutes of 2022 is amended to read:
Sec. 129. (a) ~~For the 2022–23 fiscal year, one billion three hundred million dollars (\$1,300,000,000) is~~ The following amounts are hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects under the Leroy F. Greene School Facilities Act of 1998, pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code. Code:

(1) For the 2022–23 fiscal year, one billion three hundred million dollars (\$1,300,000,000) from the General Fund in the 2021–22 fiscal year.

(2) For the 2023–24 fiscal year, one billion nine hundred sixty million five hundred thousand dollars (\$1,960,500,000) from the General Fund.

(b) The funds appropriated in subdivision (a) and the funds intended to be appropriated in subdivision (c) shall be available for encumbrance or expenditure by the State Allocation Board until December 31, 2025.

(c) ~~It is the intent of the Legislature to appropriate an additional two billion sixty million five hundred thousand dollars (\$2,060,500,000) from the General Fund in the 2023–24 fiscal year and an additional eight hundred seventy-five million dollars (\$875,000,000) from the General Fund in the 2024–25 fiscal year to the State Allocation Board to fund projects for the same purposes as described in subdivision (a).~~

(d) It is the intent of the Legislature for the Office of Public School Construction to process grant applications for apportionment by the State Allocation Board at its current processing capabilities.

(e) The Department of General Services may charge administrative costs incurred to implement this section against the funds appropriated pursuant to subdivision (a), which shall be subject to the approval of the Department of Finance and shall not exceed fifteen million dollars (\$15,000,000). These funds may be used to reimburse administrative costs incurred to implement this section by the State Department of Education and the Controller. These funds shall be subject to the encumbrance or expenditure availability specified in subdivision (b).

SEC. 50. Section 132 of Chapter 52 of the Statutes of 2022 is amended to read:



Sec. 132. (a) The sum of six hundred million dollars (\$600,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, including for freshly prepared onsite meals, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets. Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of one hundred thousand dollars (\$100,000).

(2) After allocations are made pursuant to paragraph (1), fifteen million dollars (\$15,000,000) shall be available to local educational agencies for the purchase and installation of a commercial dishwasher in accordance with the following:

(A) Local educational agencies that opt-in to this funding may receive up to forty thousand dollars (\$40,000) per kitchen of a schoolsite within the local educational agency.

(B) Allowable uses of funds allocated pursuant to subparagraph (A) to promote single-use waste reduction and transition schools to safe, reusable food service ware include both of the following:

(i) Purchase of a commercial dishwasher and its installation by the manufacturer.

(ii) Costs directly related to the installation, such as necessary electrical and plumbing upgrades, new outlets or appliance relocation, kitchen counter modification, modification of work areas to accommodate a new layout or function of the space, and venting and heat booster equipment and installation.

~~(2)~~

~~(3)~~ After allocations are made pursuant to ~~paragraph (1)~~, paragraphs (1) and (2), 50 percent of the remaining funds shall be allocated proportionally to local educational agencies based on the number of reimbursable meals served in October 2021 by the local educational agency.

~~(3)~~

~~(4)~~ Allowable uses of funds allocated pursuant to paragraphs (1) and ~~(2)~~ ~~(3)~~ to increase a school's capacity to prepare meals and improve the nutritional quality of food served through a federal school meal program and to reduce waste include all of the following:

(A) Cooking equipment, including, but not limited to, electrical support and facility upgrade requirements, combination ovens, dishwashers, steamers, or tilting skillets.

(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, liquid beverage dispensers, reusable utensils, food trays, and cups, or mobile carts.

(C) Refrigeration and storage, including, but not limited to, system upgrades, walk-in refrigerators, freezers, or blast chillers.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(E) Supporting infrastructure system needs for items described in subparagraphs (A) to (D), inclusive.



(F) Training and professional development for local educational agency food service staff on expanding meal offerings, including, but not limited to, breakfast and supper, and promoting nutritious foods, which may include training on minimally processed, freshly prepared onsite meals, locally and sustainably grown foods, plant-based foods, restricted diet foods, food preparation, healthy food marketing, reducing food waste, and changing the school lunchroom environment.

(G) To provide additional compensation for additional work relating to serving universal school meals that may include minimally processed, locally and sustainably grown foods, a plant-based or restricted diet food option, or a plant-based milk option.

(4)

(5) When acquiring new cooking equipment pursuant to paragraph (3), (4), local educational agencies receiving funds are encouraged, to the extent practicable, to acquire energy-saving electric and induction equipment rather than equipment that uses fossil fuels.

(5)

(6) (A) After allocations are made pursuant to paragraph (3), paragraphs (1) to (3), inclusive, the remaining funds may be allocated to local educational agencies for planning and implementation of facility improvements and equipment upgrades to increase capacity for freshly prepared onsite meal preparation. Allowable uses for this funding shall include the allowable uses described in paragraph (3), (4), as well as costs for planning and costs associated with implementing freshly prepared onsite preparation of reimbursable school meals, serving fresh and nutritious reimbursable school meals using California-grown food, or expanding reimbursable meal options for pupils with restricted diets.

(B) To be eligible for funding under this paragraph, a local educational agency shall attest that no less than 40 percent of reimbursable federal National School Lunch Program and federal School Breakfast Program meals, including the entree and grains, prepared each week, beginning in the 2023–24 school year, shall be freshly prepared onsite meals.

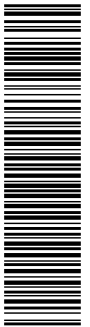
(C) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on the number of reimbursable meals served in October 2021 by the local educational agency.

(c) The State Department of Education shall coordinate with the Department of Food and Agriculture to identify ways by which funding for freshly prepared onsite reimbursable meals may complement local educational agency programs enabled by California Farm to School Incubator Grants.

(d) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, on or before June 30, 2025, on how it used the funding to improve the quality of school meals, increased participation in subsidized school meal programs, and, if applicable, increased the capacity for freshly prepared onsite meals.

(e) For purposes of this section, the following definitions apply:

(1) “Commercial dishwasher” means a nonresidential dishwasher that meets the Energy Star Product Specification criteria for Commercial Dishwashers, Version 2.0, and any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the State Department of Education, or other standards established by the State Department of Education.



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(1)

(2) “Federal school meal program” means the federal National School Lunch Program, the federal School Breakfast Program, the Seamless Summer Option, or the Summer Food Service Program.

(2)

(3) “Food service staff” means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.

(3)

(4) “Freshly prepared onsite meal” means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in ~~a~~ the local educational agency’s central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking with both fresh, raw, whole ingredients and ready-made products.

(4)

(5) “Local educational agency” means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(5)

(6) “Nutritious” means, at a minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

(6)

(7) “Plant-based food option” means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(7)

(8) “Restricted diet food option” means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

SEC. 51. Section 133 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 133. (a) (1) The sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation, in consultation with the Department of Food and Agriculture, to local educational agencies to expend on implementing any of the following school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program:



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(A) Procuring California-grown or produced, sustainably grown, or whole or minimally processed foods to support equity in the procurement practices of local educational agencies.

(B) Using California-grown, whole or minimally processed foods in plant-based or restricted diet meals for pupils.

(C) Procuring plant-based or restricted diet food options for use in meals for pupils in the procurement practices of local educational agencies; pupils.

(D) Freshly preparing meals onsite.

(2) Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(3) Notwithstanding any other law, additional funding reallocated to this program pursuant to Provision 7 of Item 6100-203-0001 of Section 2.0 of the Budget Act of 2022 shall be available for the same uses and subject to the same conditions for encumbrance, allocation, and reporting as the funding provided in paragraph (1).

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of fifty thousand dollars (\$50,000).

(2) The department shall, to the extent possible, consolidate the application for these funds with the application for the kitchen infrastructure and training program provided for in Section 132 of this act.

(3) (A) The State Department of Education, in consultation with the Department of Food and Agriculture, shall develop eligibility criteria for California-grown, or whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with funds pursuant to this section.

(B) These criteria shall consider supporting local economies, environmental sustainability, animal welfare, and fair labor practices, and may be demonstrated through certifications or other recognitions as appropriate.

(C) The State Department of Education shall develop these criteria no later than January 1, 2023.

(4) (A) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated proportionately to local educational agencies based on the number of meals served in October 2021 by the local educational agency.

(B) After allocations are made pursuant to subparagraph (A), the remaining funds shall be allocated proportionately based on a local educational agency's total enrollment of pupils who are eligible for free or reduced-price meals.

(c) A local educational agency that receives funding under this section shall do both of the following:

(1) Certify that it will use the moneys for the costs incurred by the local educational agency for food products purchased on or after the date the local educational agency received notification from the State Department of Education of the amount to be distributed to the local educational agency, as provided by this section, in meals that are served as part of the United States Department of Agriculture's child nutrition programs.

(2) Satisfy the eligibility requirements developed pursuant to paragraph (3) of subdivision (b).

(d) For purposes of this section, the following definitions apply:



(1) “California-grown” means agricultural products that have been produced in the state, as specified in paragraph (1) of subdivision (a) of Section 43100 of the Food and Agricultural Code.

(2) “Freshly prepared onsite meal” means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in a central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking with both fresh, raw, whole ingredients and ready-made products.

(3) “Local educational agency” means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(4) “Plant-based food option” means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(5) “Restricted diet food option” means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(6) The State Department of Education, in consultation with the Department of Food and Agriculture, may define “whole or minimally processed” pursuant to subparagraph (A) of paragraph (3) of subdivision (b).

(e) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, with a final report due on or before June 30, 2025, on how it used the funding to increase California-grown or produced, sustainably grown, or whole or minimally processed foods in school meals, which could include plant-based and restricted diets, as well as ongoing plans for sustaining these procurement practices. The State Department of Education and the Department of Food and Agriculture shall collaborate on developing the reporting template. The State Department of Education shall share the summary of statewide reporting with the Department of Food and Agriculture and shall coordinate to document best practices and elements of a sustainable food procurement plan for school meals.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

SEC. 52. Section 134 of Chapter 52 of the Statutes of 2022, as amended by Section 56 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 134. (a) For the 2022–23 fiscal year, the sum of ~~three billion five hundred sixty million eight hundred eighty-five thousand dollars (\$3,560,885,000)~~ two billion three hundred eighty-six million nine hundred seventy-five thousand dollars (\$2,386,975,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary



Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools to:

(1) Obtain standards-aligned professional development and instructional materials, in the following subject areas:

(A) Visual and performing arts.

(B) World languages.

(C) Mathematics.

(D) Science, including environmental literacy.

(E) English language arts, including early literacy.

(F) Ethnic studies.

(G) Financial literacy, including the content specified in Section 51284.5 of the Education Code.

(H) Media literacy.

(I) Computer science.

(J) History-social science.

(2) Obtain instructional materials and professional development aligned to best practices for improving school climate, including training on deescalation and restorative justice strategies, asset-based pedagogies, antibias, transformative social-emotional learning, media literacy, digital literacy, physical education, and learning through play.

(3) Develop diverse book collections and obtain culturally relevant texts, including leveled texts, in both English and pupils' home languages, to support pupils' independent reading. It is the intent of the Legislature that these book collections and culturally relevant texts be used to provide support for pupils through the establishment of site-based school and classroom libraries that are culturally relevant to pupils' home and community experiences and be available in English, pupils' home language, or a combination of more than one language.

(4) Operational costs, including but not limited, to retirement and health care cost increases.

(5) As related to the COVID-19 pandemic, acquire personal protective equipment, masks, cleaning supplies, COVID-19 tests, ventilation upgrades, and other similar expenditures, if they are necessary to keep pupils and staff safe from COVID-19 and schools open for in-person instruction.

(b) The Superintendent of Public Instruction shall apportion funds proportionally to county offices of education, school districts, charter schools, and the state special schools on the basis of an equal amount per unit of average daily attendance for kindergarten and grades 1 to 12, inclusive, as those numbers were reported as of the second principal apportionment for the 2021–22 fiscal year. The average daily attendance for each state special school shall be deemed to be 97 percent of the enrollment as reported in the California Longitudinal Pupil Achievement Data System as of the 2021–22 Fall 1 Submission.

(c) Funding appropriated pursuant to this section shall be available for encumbrance through the 2025–26 fiscal year. Local educational agencies are encouraged, but not required, to proportionally use resources received pursuant to this section for the purposes noted in paragraphs (1) to (5), inclusive, of subdivision (a) and to support arts and music education programs.

(d) For purposes of this section, standards-aligned instructional materials includes, but is not limited to, books for school and classroom libraries.



(e) The governing board or body of each school district, county office of education, or charter school receiving funds pursuant to this section shall discuss and approve a plan for the expenditure of funds received pursuant to this section at a regularly scheduled public meeting. It is the intent of the Legislature that each school district, county office of education, or charter school expend any resources received pursuant to this section consistent with their governing board or body approved plan.

(f) The requirements of this section shall not be waived by the State Board of Education pursuant to Section 33050 of the Education Code or any other law.

(g) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), one hundred forty-nine million forty thousand dollars (\$149,040,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2022–23 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2022–23 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), ~~three billion eighty-one million two hundred nineteen thousand dollars (\$3,081,219,000)~~ one billion nine hundred seven million three hundred nine thousand dollars (\$1,907,309,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(3) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), three hundred thirty million six hundred twenty-six thousand dollars (\$330,626,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 53. Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 57 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 137. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the Literacy Coaches and Reading Specialists Grant Program, which is hereby established, in the manner and for the purposes set forth in this section. Funds appropriated for this purpose are available for encumbrance through June 30, 2027.

(b) (1) Of the amount appropriated in subdivision (a), two hundred twenty-five million (\$225,000,000) shall be allocated by the Superintendent of Public Instruction to local educational agencies for schools eligible pursuant to paragraph (2), to develop school literacy programs, employ and train literacy coaches and reading and literacy



specialists, and develop and implement interventions for pupils in need of targeted literacy support. Local educational agencies may opt not to participate in the program described pursuant to this subdivision by informing the State Department of Education, by September 30, 2022, and via a form provided by the State Department of Education, of their intent to decline program funds for their eligible schoolsites. Local educational agencies who receive funding pursuant to this section may also be eligible for the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) Of the amount identified in paragraph (1), the department shall compute an amount per pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, at each eligible schoolsite, such that no local educational agency shall receive less than four hundred fifty thousand dollars (\$450,000) per eligible schoolsite. Grant amounts shall be determined using 2021–22 school enrollment data determined as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification. Local educational agencies receiving an allocation of funds pursuant to this paragraph are encouraged to use these funds over the full grant period, through June 30, 2027. For purposes of allocations and apportionments under this paragraph, ~~a locally-funded~~ locally funded charter school shall be included with the chartering authority.

(3) On or before June 30, ~~2027~~, 2024, a recipient local educational agency shall submit an interim report to the State Department of Education Education, and a final report on or before June 30, 2027, detailing how it used funds awarded pursuant to this subdivision. The State Department of Education shall create a reporting template for the purposes of this requirement no later than December 31, 2022. Specifically, these reports shall include:

(A) How funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools.

(B) How funds were used to develop and implement school literacy programs.

(C) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.

(D) How the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists past the award period.

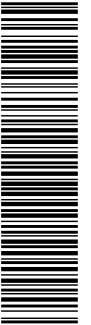
(E) Other metrics as determined by the State Department of Education.

(4) On or before July 30, 2024, and again on or before July 30, 2027, the Superintendent of Public Instruction shall provide the interim and final reports submitted by recipient local educational agencies to the grantee selected pursuant to subdivision (c) for an independent evaluation pursuant to subdivision (c) of Section 55 of the act amending this section.

~~(4)~~

(5) On or before December 31, ~~2027~~, 2025, and again on or before December 31, 2028, the Superintendent of Public Instruction shall provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature summarizing the data collected pursuant to paragraph ~~(3)~~. (3) of this section and paragraph (3) of subdivision (b) of Section 55 of the act amending this section.

(c) (1) Of the funds appropriated pursuant to subdivision (a), twenty-five million dollars (\$25,000,000) shall be available for the Superintendent of Public Instruction, in collaboration with the Commission on Teacher Credentialing, and subject to the approval of the executive director of the State Board of Education, to select a county



office of education, through a competitive process, to develop and provide training for educators to become literacy coaches and reading and literacy specialists. The Superintendent of Public Instruction shall prioritize applicants with demonstrated success in improving literacy, especially among underperforming pupil subgroups, as well as for those planning on partnering with institutions of higher education with demonstrated success in providing statewide professional development for expert literacy practice. Applicants who participate in the training established pursuant to this subdivision may also participate in the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) The grantee selected pursuant to paragraph (1) shall consider the preparation program standards set by the Commission on Teacher Credentialing for reading and literacy in developing the standards for educator training developed pursuant to this subdivision.

(d) For purposes of this section, the following definitions apply:

(1) "Eligible schoolsite" means an elementary schoolsite operated by a local educational agency with an unduplicated pupil percentage of 97 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive, based on 2021–22 Fall 1 census day pupil data submitted through the California Longitudinal Pupil Achievement Data System. The unduplicated pupil percentage for a schoolsite shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite's total enrollment for kindergarten and grades 1 to 3, inclusive.

(2) "Local educational agency" means an elementary or unified school district, county office of education, or charter school.

(3) "School" and "schoolsite" means an elementary school of a local educational agency.

(4) "School literacy program" means a program that includes all of the following:

(A) A school literacy plan that includes goals and actions to improve literacy acquisition for pupils in preschool, if applicable, and kindergarten or any of grades 1 to 3, inclusive. The plan shall identify metrics to measure progress toward the goals and actions.

(B) At least one literacy coach or reading and literacy specialist per school to support educators and pupils in improving literacy instruction and pupil outcomes.

(C) Increased access to evidence-based literacy instruction, through strategies, including, but not limited to, any of the following:

(i) Providing bilingual reading specialists to support dual language acquisition and English language development programs.

(ii) Developing and implementing culturally responsive curriculum and instruction.

(iii) Providing professional development for educators and school leaders in literacy instruction and the use of data to identify and support struggling pupils.

(iv) Providing professional development for educators and school leaders regarding implementation of the curriculum framework for English language arts and English language development adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(v) Establishing an evidence-based family literacy initiative, which may include, but is not limited to, any of the following:



(I) Family literacy plans that identify literacy and biliteracy goals, benchmarks, and roles for all family members.

(II) Family literacy home visiting programs, including, but not limited to, “promotora” family literacy outreach specialists. Local educational agencies may establish literacy and biliteracy home visits to engage families in how to best support their pupils and every family member in reaching their literacy goals.

(III) Extended-day, summer, or weekend family institutes related to literacy and biliteracy. Local educational agencies are encouraged to work with in-house expanded learning programs to establish literacy and biliteracy support programs and literacy enrichment programs during after school, weekend, and summer hours.

(IV) Public library family literacy partnerships, including, but not limited to, digital tools to support whole family literacy.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 54. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 55. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to augment the Literacy Coaches and Reading Specialists Grant Program, established pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section. Funds appropriated for this purpose are available for encumbrance through June 30, 2028.

(b) (1) Of the amount appropriated in subdivision (a), two hundred forty-eight million dollars (\$248,000,000) shall be allocated by the Superintendent of Public Instruction to local educational agencies for schools eligible pursuant to paragraph (2), to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support. Local educational agencies may opt not to participate in the program described pursuant to this subdivision by informing the State Department of Education, by September 30, 2023, and via a form provided by the State Department of Education, of their intent to decline program funds for their eligible schoolsites. Local educational agencies who receive funding pursuant to this section may also be eligible for the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) Of the amount identified in paragraph (1), the State Department of Education shall compute an amount per pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, at each eligible schoolsite, in a manner that also ensures that no local educational agency shall receive less than four hundred fifty thousand dollars (\$450,000) per eligible schoolsite. Grant amounts shall be determined using 2022–23 school



enrollment data determined as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification. Local educational agencies receiving an allocation of funds pursuant to this paragraph are encouraged to use these funds over the full grant period, through June 30, 2028. For purposes of allocations and apportionments under this paragraph, a locally funded charter school shall be included with the chartering authority.

(3) On or before June 30, 2025, a recipient local educational agency receiving funds pursuant to this section shall submit an interim report to the State Department of Education, and a final report on or before June 30, 2028, detailing how it used funds awarded pursuant to this subdivision. The State Department of Education shall use the existing reporting template described in paragraph (3) of subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, for the purposes of this requirement. Specifically, these reports shall include all of the following:

(A) How funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools.

(B) How funds were used to develop and implement school literacy programs.

(C) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.

(D) How the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists beyond the award period.

(E) Other metrics as determined by the State Department of Education.

(4) On or before July 30, 2025, and again on or before July 30, 2028, the Superintendent of Public Instruction shall provide the interim and final reports submitted by recipient local educational agencies to the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, for the independent evaluation pursuant to subdivision (c).

(5) On or before December 31, 2025, and again on or before December 31, 2028, the Superintendent of Public Instruction shall provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature summarizing the data collected pursuant to paragraph (3) of this subdivision and paragraph (3) of subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section.

(c) (1) Of the funds appropriated pursuant to subdivision (a), two million dollars (\$2,000,000) shall be available to the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, to provide additional training for educators to become literacy coaches and reading and literacy specialists, consistent with the training developed for the Literacy Coaches and Reading Specialists Grant program pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, and to contract for an independent evaluation pursuant to paragraph (2).

(2) The grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, shall, in consultation with, and subject to the approval of, the executive director of the State Board of Education and the Superintendent of Public Instruction, issue a request for proposals and contract for an independent evaluation of the effectiveness of the



funding provided pursuant to this section, as well as the funding appropriated pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section. The grantee shall use up to five hundred thousand dollars (\$500,000) of the funding appropriated pursuant to paragraph (1) for the independent evaluation.

(3) The evaluation conducted pursuant to paragraph (2) shall include an examination of the following:

(A) Data collected from recipient local educational agencies pursuant to subdivision (b) of this section and subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, including, but not limited to, the following:

(i) How funds were used to employ literacy coaches and reading and literacy specialists.

(ii) How funds were used to develop and implement school literacy programs.

(iii) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.

(iv) How the local educational agencies plan to continue to fund literacy coaches and reading and literacy specialists beyond the award period.

(B) How the trainings developed and provided by the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, impacted the training of literacy coaches and literacy and reading specialists.

(4) On or before June 30, 2029, the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section, shall provide the evaluation report to the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or their designee, the Superintendent of Public Instruction, and the Director of Finance.

(d) For purposes of this section, the following definitions apply:

(1) "Eligible schoolsite" means an elementary schoolsite operated by a local educational agency with an unduplicated pupil percentage of 95 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive, based on 2022–23 Fall 1 census day pupil data submitted through the California Longitudinal Pupil Achievement Data System that did not receive funding pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 53 of the act adding this section. The unduplicated pupil percentage for a schoolsite shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite's total enrollment for kindergarten and grades 1 to 3, inclusive.

(2) "Local educational agency" means an elementary or unified school district, county office of education, or charter school.

(3) "School" and "schoolsite" means an elementary school of a local educational agency.

(4) "School literacy program" means a program that includes all of the following:

(A) A school literacy plan that includes goals and actions to improve literacy acquisition for pupils in preschool, if applicable, and kindergarten or any of grades 1



to 3, inclusive. The plan shall identify metrics to measure progress toward the goals and actions.

(B) At least one literacy coach or reading and literacy specialist per school to support educators and pupils in improving literacy instruction and pupil outcomes.

(C) Increased access to evidence-based literacy instruction through strategies, including, but not limited to, any of the following:

(i) Providing bilingual reading specialists to support dual language acquisition and English language development programs.

(ii) Developing and implementing culturally responsive curriculum and instruction.

(iii) Providing professional development for educators and school leaders in literacy instruction and the use of data to identify and support struggling pupils.

(iv) Providing professional development for educators and school leaders regarding implementation of the curriculum framework for English language arts and English language development adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(v) Establishing an evidence-based family literacy initiative, which may include, but is not limited to, any of the following:

(I) Family literacy plans that identify literacy and biliteracy goals, benchmarks, and roles for all family members.

(II) Family literacy home visiting programs, including, but not limited to, “promotora” family literacy outreach specialists. Local educational agencies may establish literacy and biliteracy home visits to engage families in how to best support their pupils and every family member in reaching their literacy goals.

(III) Extended-day, summer, or weekend family institutes related to literacy and biliteracy. Local educational agencies are encouraged to work with in-house expanded learning programs to establish literacy and biliteracy support programs and literacy enrichment programs during after school, weekend, and summer hours.

(IV) Public library family literacy partnerships, including, but not limited to, digital tools to support whole family literacy.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

SEC. 56. (a) For the 2023–24 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies to increase pupils’ engagement with arts and cultural institutions, museums, and art enrichment experiences within California.

(b) For purposes of this section, the following definitions apply:

(1) “Arts and cultural institution” means a nonprofit entity with a primary purpose of providing arts, creative, or cultural programming or services available for public viewing and education.



(2) “Local educational agency” means a county office of education, school district, charter school, or state special school.

(3) “Museum” means a nonprofit entity that collects and cares for objects of cultural, artistic, scientific, or historical interest and makes their collections and related exhibits available for public viewing and education.

(c) The allocation of funds to local educational agencies under this section shall be determined based on the proportionate enrollment of Grade 11 public school pupils in the 2022–23 academic year at the local educational agency.

(d) (1) Funds appropriated pursuant to this section shall be used by local educational agencies to provide all high school seniors in the 2023–24 academic year with access to arts and cultural enrichment experiences outside of normal school offerings. Allowable expenditures may include, but are not limited to, all of the following:

(A) (i) The costs of transportation and admission to California arts and cultural institutions and museums as defined in paragraphs (1) and (3) of subdivision (b).

(ii) For the purposes of this paragraph, arts and cultural institutions and museums may include arts and cultural institutions recognized by the California Arts Council and members of the California Association of Museums and American Alliance of Museums.

(iii) Eligible institutions may also include nonprofit cultural centers and art galleries.

(B) The costs of transportation and admission to live art and cultural performances, such as theatrical performances, plays, symphony concerts, operas, and musicals within California.

(C) (i) The costs of transportation and admission to offcampus extracurricular arts and cultural activities, workshops, and learning experiences.

(ii) Activities may include programs and workshops in creative writing, poetry, music, theater, photography, and other arts and cultural enrichment activities.

(2) Funds shall be prioritized for admission, program, and activity costs. Any remaining funds may be used for transportation costs.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation amount made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

SEC. 57. (a) On or before June 30, 2024, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2023.

(b) The funds appropriated in subdivision (a) shall only be available to the extent that revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code are less than the estimated amount reflected in the Budget Act of 2023, as determined by the Director of Finance.



(c) On or before June 30, 2024, the Director of Finance shall determine if the revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code exceed the estimated amount reflected in the Budget Act of 2023 and shall reduce Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2023 by the amount of that excess.

(d) In making the determinations pursuant to subdivisions (b) and (c), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2023.

(e) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, of the Director of Finance's intent to notify the Controller of the necessity to release funds appropriated in subdivision (a) or to make the reduction pursuant to subdivision (c), and the amount needed to address the property tax shortfall determined pursuant to subdivision (b) or the amount of the reduction made pursuant to subdivision (c). The Controller shall make the funds available pursuant to subdivision (a) not sooner than five days after this notification and the State Department of Education shall work with the Controller to allocate these funds to local educational agencies as soon as practicable.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2023–24 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2023–24 fiscal year.

SEC. 58. (a) The sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund to the State Department of Education to create, in consultation with the executive director of the State Board of Education, a Literacy Roadmap to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity. The Literacy Roadmap shall:

(1) Include models of effective practice that incorporate the five themes of the English language arts and English language development framework: Meaning Making, Language Development, Effective Expression, Content Knowledge, and Foundational Skills.

(2) Describe to local educators, site leaders and local educational agency administrators, and members of governing boards or bodies of local educational agencies, how they can use the English language arts and English language development framework, along with other existing resources, to offer evidence-based literacy instruction in the classroom, including explicit instruction in phonics, phonemic awareness, and other decoding skills, as well as development of vocabulary, comprehension, writing, speaking, and listening skills.

(3) Provide practical direction for literacy instruction and intervention across content areas in alignment with the state-adopted standards for all pupils, including



English learners, pupils with disabilities, pupils struggling with reading, and early learners.

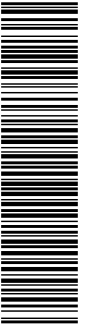
(b) In performing this work, the State Department of Education, in consultation with the executive director of the State Board of Education, shall solicit the input of literacy experts and practitioners in the development of the Literacy Roadmap.

(c) The State Department of Education shall post the Literacy Roadmap on its internet website and use the statewide system of support and other initiatives to disseminate the Literacy Roadmap statewide.

SEC. 59. (a) For the 2023–24 fiscal year, the sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Superintendent of Public Instruction for allocation to the Sacramento County Office of Education to, in consultation with the executive director of the State Board of Education and the State Department of Education, update distance learning curriculum and instructional guidance for mathematics in alignment with the state-adopted mathematics framework.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2023–24 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2023–24 fiscal year.

SEC. 60. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Education finance: education omnibus budget trailer bill.

(1) The Early Education Act requires the Superintendent of Public Instruction, in consultation with the Director of Social Services and the executive director of the State Board of Education, to convene a statewide interest holder workgroup. The act requires the Superintendent, in consultation with the director, to provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than January 15, 2023.

This bill would delay the reporting of those recommendations described above to instead be no later than March 31, 2024.

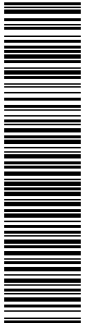
The act requires the Superintendent to administer the California state preschool program. The act requires each state preschool program applicant or contracting agency to give priority for part-day and full-day programs according to a specified priority ranking, including, after all otherwise eligible children have been enrolled, priority to 3- or 4-year-old children whose families reside within the attendance boundary of an elementary school, as provided.

This bill would expand priority enrollment of the above-described slots to also include 3- and 4-year-old children whose families are employed within the attendance boundary of the elementary school, as provided.

(2) Existing law, the California School Finance Authority Act, authorizes a participating party, as defined, in connection with securing financing or refinancing of projects, or working capital, as defined, to elect to guarantee or provide for payment of the bonds and related obligations in accordance with specified conditions. Existing law requires participating parties to, among other things, elect to participate by an action of its governing board and provide written notice to the Controller. Existing law authorizes school districts and county offices of education with qualified or negative financial certifications, as provided, to intercept payments only for short-term financings, as provided.

This bill would revise and recast those provisions by, among other things, authorizing participating parties to elect to participate in a local intercept by sending to the county treasurer, or other appropriate county fiscal officer, a request for the county to participate. If the county agrees to participate, the bill would require the county treasurer or other county fiscal officer to make an apportionment or revenue transfer, as provided. This bill would limit the authorization of school districts and county offices of education with qualified or negative financial certifications to intercept payments for indebtedness for which the repayment is determined to be probable, as provided.

(3) Existing law establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program under the administration of the State Allocation Board, to provide one-time grants to school districts to, among other



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things, construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms, as provided. Existing law appropriates, during specific fiscal years, specified sums of money to the board to provide the grants.

This bill would extend the time that the above described appropriated funds are available for encumbrance or expenditure by the board until specified dates during specified fiscal years, thereby making an appropriation.

(4) Existing law requires, as a condition of receipt of apportionment for pupils in a transitional kindergarten program, a school district or charter school to do certain things, including, among others, maintain certain class sizes and certain adult-to-pupil ratios.

Among other changes to transitional kindergarten programs, this bill would require, as a condition of receipt of apportionment for pupils in a transitional kindergarten program, a school district or charter school to ensure that, commencing with the 2028–29 school year, each adult assigned to a transitional kindergarten classroom meets at least one of a list of specified requirements.

(5) Existing law authorizes the governing board of a school district or a county board of education to request the State Board of Education to waive all or part of specified education laws or regulations adopted by the state board, as provided, with exceptions. Existing law establishes provisions relating to transitional kindergarten and kindergarten admission.

This bill would prohibit the state board from waiving all or part of certain laws relating to kindergarten and transitional kindergarten admission.

(6) Existing law requires a school district to use its uniform complaint process to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment, as provided. Under existing law, the procedure required under the uniform complaint process is intended to address, among other things, a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20% of English learner pupils in the class.

This bill would establish that the procedure required under the uniform complaint process is instead intended to address a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learner pupils in the class. To the extent this imposes new obligations on school districts, the bill would impose a state-mandated local program.

(7) For the 1990–91 fiscal year and each fiscal year thereafter, existing law requires that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the 1992–93 to 2022–23 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2023–24 fiscal year.

(8) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to



be calculated pursuant to a local control funding formula, as specified. Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of unduplicated pupils, as specified, served by the county superintendent of schools, school district, or charter school. For purposes of the local control funding formula, existing law defines unduplicated pupil to mean a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as specified.

This bill would, commencing with the 2023–24 fiscal year, annually appropriate \$300,000,000 from the General Fund to the Superintendent for allocation for the Local Control Funding Formula Equity Multiplier apportionment, which the bill would establish, as provided. The bill would, among other things, provide this funding, at not less than \$50,000 per schoolsite, to schoolsites serving grades not higher than grade 8, with a percentage of pupils eligible for free meals equal to or greater than 90% in the prior year, and to schoolsites offering any of grades 9 to 12, inclusive, with a percentage of pupils eligible for free meals equal to or greater than 85% in the prior year, and would require the funding to be allocated on a per-unit basis of the schoolsite's total prior year enrollment, as specified.

(9) Existing law includes average daily attendance as a component of the calculation under the local control funding formula. For each school district that operates a school where one or more state-operated migrant housing projects are located within the attendance area of the school, and at least $\frac{1}{3}$ of the maximum number of pupils enrolled in the school in the relevant fiscal year are migratory children, existing law requires the school district's fiscal year average daily attendance to be increased, as specified.

This bill would repeal the latter provision.

(10) Existing law continuously appropriates from the General Fund to Section A of the State School Fund for allocation by the Controller any amount necessary to meet the requirements of specified programs, including the local control funding formula, during each fiscal year upon certification by the Superintendent of those amounts. Existing law requires the Controller to provide in each warrant a portion of the total amount certified by the Superintendent as apportioned for specified programs, including the local control funding formula, during the fiscal year from the State School Fund to the school districts and charter schools under the jurisdiction of the county superintendent of schools of that county, to the county school service fund of that county, and to the county school tuition fund of that county.

This bill would, for the 2023–24 fiscal year, require that \$9,579,000 and \$190,255,000, respectively, of the amount of apportionments made pursuant to those provisions be funded from specified Items from the Budget Act of 2023.

(11) Existing law requires the Commission on Teacher Credentialing, among other duties, to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the commission to administer the State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring. Existing law requires the commission and the State Department of Education to enter into a data sharing agreement to provide the commission with employee assignment data necessary to annually identify



misassignments and vacant positions at local educational agencies. Existing law requires the Superintendent to identify a list of schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential.

This bill would revise and recast those provisions by, among other things, requiring the department to provide the commission with employee assignment data necessary to annually identify educator assignments, including misassignments, and vacant positions at local educational agencies. The bill would also require the commission to provide annual updates on the total number of assignments and misassignments at the schoolsite, school district, and county level. The bill would require the Superintendent to use data gathered from the department's teacher assignment monitoring outcome data to identify the list of schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential.

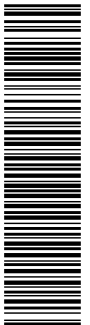
(12) Existing law authorizes a public or private elementary or secondary school to determine whether or not to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at its school, and to designate one or more volunteers to receive related training to address an opioid overdose, as specified.

Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, this bill would appropriate \$3,500,000 from the General Fund to the department for allocation to school districts, county offices of education, and charter schools for the purpose of purchasing and maintaining a minimum of 2 doses of an emergency opioid antagonist at each middle school, junior high school, and high school site, as provided. The bill would require, as a condition of receipt of these funds, local educational agencies to, among other things, purchase and maintain the minimum of 2 doses of an emergency opioid antagonist, as provided. The bill would require local educational agencies that are already stocking an emergency opioid antagonist, as provided, to receive funding if they meet specified requirements.

(13) Existing law requires a school district or county superintendent of schools maintaining kindergarten or any grades 1 to 12, inclusive, to provide 2 school meals free of charge during each schoolday to each pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, as provided. Existing law requires the State Department of Education to reimburse local educational agencies that participate in the federal School Breakfast Program and National School Lunch Program for all nonreimbursed expenses accrued in providing United States Department of Agriculture reimbursable meals to pupils, as provided.

This bill would instead require the department to provide state meal reimbursement to school districts, county offices of education, and charter schools that participate in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils, as provided.

(14) Existing law requires the state board to, on or before March 31, 2014, adopt a template for a local control and accountability plan (LCAP) and an annual update to the LCAP for use by school districts, county boards of education, and charter schools. Existing law, on or before January 31, 2022, requires the template adopted by the state board to require the inclusion of certain information, including, among other things, a summary of the stakeholder engagement process, as provided.



This bill would revise and recast the information required to be included to, among other things, require a summary of the stakeholder engagement process, including stakeholders at schools generating Local Control Funding Formula Equity Multiplier funding, as specified.

Existing law requires the state board to include instructions for school districts, county offices of education, and charter schools to complete the LCAP and annual update to the LCAP, as specified.

This bill would revise and recast provisions involving the contents of these instructions to, among other things, require these instructions to specify that school districts, county offices of education, and charter schools are required to include certain focused goals in the LCAP when a school or pupil group within a local educational agency, or a pupil group within a school, received the lowest performance level on one or more state indicators on the California School Dashboard or a school within a local educational agency receives Local Control Funding Formula Equity Multiplier funding, as provided. By creating new requirements involving the template used by local educational agencies, the bill would impose a state-mandated local program.

(15) Existing law requires each school district, county office of education, and charter school, on or before July 1, 2019, and each year thereafter, to develop a summary document known as the local control funding formula budget overview for parents.

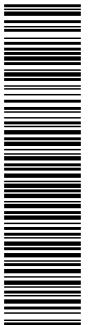
Existing law, on or before July 1, 2015, and each year thereafter, requires the governing body of a charter school to hold a public hearing to adopt an LCAP using a template adopted by the state board. Existing law requires the governing body of a charter school to update the goals and annual actions to achieve those goals identified in the charter petition, as provided, using the template for the LCAP and annual update to the LCAP adopted by the state board, as provided.

This bill would require a charter school to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school, as provided.

Existing law requires, before a governing board of a school district or a county board of education considers the adoption of an LCAP or an annual update to the plan, certain things to occur, including that the superintendent of the school district or the county superintendent of schools present the LCAP or annual update to the LCAP to the parent advisory committee for review and comment, as provided.

This bill would additionally require the superintendent of a school district or the county superintendent of schools, before a governing board of a school district or a county board of education considers the adoption of an LCAP or an annual update to the plan, to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district or the county board of education, as specified. By requiring local educational agencies and officials to present this new report on or before February 28 of each year, the bill would impose a state-mandated local program.

(16) Existing law requires the single multiple measures public school accountability system authorized by the provisions requiring the state board to adopt evaluation rubrics to measure the overall performance of numerically significant pupil subgroups in schools, including charter schools, school districts, and county offices of



education, as provided. Existing law includes within these numerically significant pupil subgroups, among others, English learners.

This bill would include English learners and, separately, long-term English learners for this purpose. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(17) Existing law requires the state board to, on or before October 1, 2016, adopt evaluation rubrics for certain purposes, including, among others, to assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement. Existing law requires the State Department of Education, in collaboration with, and subject to the approval of, the executive director of the state board, to develop and maintain the California School Dashboard, a web-based system for publicly reporting performance data on the state and local indicators included in the evaluation rubrics.

This bill would require the public reporting of performance data on state and local indicators via the web-based system to be completed on or before certain dates for the prior school year and would require timelines associated with the collection of data through the California Longitudinal Pupil Achievement Data System to be adjusted to support these public reporting dates, as specified. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(18) Existing law requires the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the governing board of the district, as specified.

This bill would require the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the governing board of the school district and the county superintendent of schools, as specified. By creating new duties for superintendents of school districts, the bill would impose a state-mandated local program.

Existing law requires a county superintendent of schools to prominently post on the homepage of the county office of education's internet website any LCAP approved by the county board of education, as specified.

This bill would require a county superintendent of schools to prominently post on the homepage of the county office of education's internet website any LCAP approved by the county board of education and the Superintendent, as specified. By creating new duties for county superintendents, the bill would impose a state-mandated local program.

(19) Existing law, beginning with the 2018–19 fiscal year and in each fiscal year thereafter, requires a county superintendent of schools to prepare a summary of how the county superintendent plans to support school districts and schools within the county in implementing LCAPs and to present the summary to the county board of education. Existing law, commencing with the 2019–20 fiscal year, and in each fiscal year thereafter, requires the county superintendent of schools to submit the summary with its LCAP. Under existing law, the above-mentioned requirements do not apply to a county superintendent of schools with jurisdiction over a single school district.

This bill would instead apply those provisions to a county superintendent of schools with jurisdiction over a single school district. By creating new requirements



for a county superintendent of schools with jurisdiction over a single school district, the bill would impose a state-mandated local program.

(20) Existing law requires the county superintendent of schools to approve an LCAP or annual update to an LCAP adopted by the governing board of a school district, and requires the Superintendent to approve an LCAP or annual update to an LCAP adopted by the county board of education, if specified determinations are made, including, among other things, that the plan or annual update adheres to and follows any instructions or directions for completing the template adopted by the state board.

This bill would require school districts and county offices of education that meet specified criteria to include in the LCAP or annual update to an LCAP the actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to the school district or county office of education to meet the specified criteria. To the extent the bill would impose additional duties on school districts and county offices of education, the bill would impose a state-mandated local program.

(21) Existing law requires a county superintendent of schools, if the governing board of a school district requests technical assistance, if the county superintendent of schools does not approve an LCAP or annual update to the LCAP approved by a governing board of a school district, or for any school district for which one or more specified pupil subgroups meets certain performance criteria, to provide technical assistance, as provided.

This bill would require the county superintendent of schools, for any school district for which one or more specified pupil subgroups meets the certain performance criteria, to instead provide technical assistance for a minimum of 2 years, as provided. The bill would require the county superintendent of schools to additionally provide technical assistance for any school district that fails to submit specified data to the department, as provided. The bill would require, for any school district that meets the certain performance criteria for 3 or more consecutive years, the school district's geographic lead agency, in collaboration with the county superintendent of schools, to provide technical assistance to the school district, as provided. By creating new duties for county superintendents of schools, the bill would impose a state-mandated local program.

(22) Existing law requires the Superintendent, if the Superintendent does not approve an LCAP or annual update to the LCAP approved by a county board of education, if the county board of education requests technical assistance, or for any county office of education for which one or more of specified pupil subgroups meets certain performance criteria, to provide technical assistance, as provided.

This bill would require the Superintendent, for any county office of education for which one or more specified pupil subgroups meets the certain performance criteria, to instead provide technical assistance for a minimum of 2 years, as provided. The bill would require the Superintendent to additionally provide technical assistance for any county office of education that fails to submit specified data to the department, as provided.

(23) Existing law establishes the California Collaborative for Educational Excellence for the purpose of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in an LCAP.



The bill would require, by March 1, 2024, the California Collaborative for Educational Excellence and the department to select, subject to approval by the executive director of the state board, local educational agencies, or a consortium of local educational agencies, to serve as Equity Leads within the system of support, as provided. The bill would prescribe the process for selecting Equity Leads and would require the Equity Leads selected to demonstrate a willingness and capacity to, among other things, develop and disseminate resources on effective practices for analyzing programs, identifying barriers and opportunities, and implementing actions and services to meet the identified needs of all pupils, including by addressing racial disparities. The bill would require Equity Leads to have certain responsibilities, including, among others, to support the work of local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding, as specified, in developing and implementing programs and supports that address racial disparities in opportunities and academic outcomes. The bill would, commencing with the 2023–24 fiscal year, appropriate an unspecified sum each fiscal year from the General Fund to the department to be awarded to local educational agencies serving as Equity Leads, as specified.

(24) Existing law requires a school district, county office of education, or charter school that requests the advice and assistance of the California Collaborative for Educational Excellence to reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

This bill would instead provide that only a school district, county office of education, or charter school that is eligible for certain technical assistance may request the advice and assistance of the California Collaborative for Educational Excellence, as provided. The bill would additionally authorize the County Office Fiscal Crisis and Management Assistance Team to request the advice or assistance of the California Collaborative for Educational Excellence and would require the County Office Fiscal Crisis and Management Assistance Team to reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act, as provided.

(25) Existing law authorizes the Superintendent, subject to the approval of the state board, to identify county offices of education and school districts in need of intervention if the county office of education or school district, in 3 out of 4 consecutive school years, meets specified criteria, as applicable, and the California Collaborative for Educational Excellence has provided advice and assistance to the county office of education or school district, as provided. Existing law authorizes the Superintendent, in those cases where a county office of education or school district has been identified as needing intervention to, among other things, make changes to the LCAP and develop and impose a budget revision.

This bill would revise and recast those provisions by creating 2 separate intervention processes, as provided. The bill would first require the California Collaborative for Educational Excellence, in collaboration with the department or the county superintendent of schools, as applicable, to provide technical assistance to those county offices of education or school districts where the specified criteria, as applicable, has been met. The bill would then authorize the Superintendent, subject to the approval of the state board, to identify county offices of education and school districts in need



of intervention if the California Collaborative for Educational Excellence determines that the county office of education or school district, as applicable, has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or that the inadequate performance of the county office of education or school district, based upon a specified rubric, as applicable, is either so persistent or acute as to require intervention by the Superintendent. By creating new duties for county superintendents of schools in relation to their collaboration with the California Collaborative for Educational Excellence regarding school districts for these purposes, the bill would impose a state-mandated local program.

(26) Existing law requires each special education local plan area to administer local plans, as provided. Existing law prohibits the governing board of a school district, from July 1, 2020, to July 1, 2024, inclusive, from electing to submit a local plan for the education of all individuals with exceptional needs residing in the district for the purpose of creating a single district special education local plan area, as provided.

This bill would extend that prohibition by 2 years until July 1, 2026. The bill would require the Superintendent to post all local plans submitted by each special education local plan area on the department's internet website.

Existing law requires, commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent to determine the base grant funding for each special education local plan area, as provided.

This bill would require, for the 2023–24 fiscal year, each special education local plan area to, at minimum, allocate a total sum of funding to all of their member local educational agencies equal to the total sum allocated to all of their member local educational agencies in fiscal year 2022–23 multiplied by the sum of one plus a certain inflation factor, as provided. To the extent this imposes additional duties on a special education local plan area, this bill would impose a state-mandated local program.

(27) Existing law states the intent of the Legislature to provide a system of assessments of pupils that has the primary purposes of (A) assisting teachers, administrators, and pupils and their parents, (B) improving teaching and learning, and (C) promoting high-quality teaching and learning using a variety of assessment approaches and item types. Existing law requires the State Department of Education to acquire, and offer at no cost to local educational agencies, certain interim assessment tools for pupils in kindergarten and any of grades 1 to 12, inclusive, and requires those interim assessments to be designed to provide timely feedback to teachers to improve instruction, for communication with pupils' parents or guardians, and for identifying teachers' professional development goals. Existing law prohibits the results of these interim assessments from being used for any high-stakes purpose, including, among other specified uses, school staff evaluations or pupil grade promotion or retention.

This bill would apply those purposes and that prohibition instead to any interim assessments offered by the department to local educational agencies.

(28) Existing law authorizes the California College Guidance Initiative (CCGI) to provide its services to all California school districts. Existing law establishes the California Longitudinal Pupil Achievement Data System (CalPADS), which is maintained by the department and consists of pupil data regarding demographic, program participation, enrollment, and statewide assessments. Existing law requires the department to ensure that the notifications provided by local educational agencies,



as required by the federal Family Educational Rights and Privacy Act of 1974, include appropriate content related to how CalPADS and CCGI data will be used, as provided.

This bill would revise and recast those provisions by, among other things, authorizing CCGI to provide its services to all local educational agencies and requiring the department to instead notify local educational agencies of the additional use of CalPADS data and advise local educational agencies to include in their annual parent notifications, as required by the federal Family Educational Rights and Privacy Act of 1974, information about CalPADS and CCGI data, as provided.

(29) The Budget Act of 2022, among other things, appropriates \$117,478,000 from the General Fund to the State Department of Education for support of the department in relation to specified programs. Existing law specifies that of those funds, \$1,200,000 is provided on a one-time basis for litigation costs related to the COVID-19 pandemic.

This bill would extend the availability of that \$1,200,000 for litigation costs related to the COVID-19 pandemic for encumbrance or expenditure until June 30, 2024. By extending the date for which those funds may be encumbered or expended, the bill would make an appropriation.

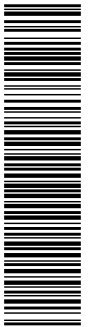
(30) The Budget Act of 2022, among other things, appropriates \$4,400,000 to the State Department of Education to apportion to the Riverside County Office of Education to develop collaborative partnerships with regional county offices of education to support local educational agency utilization of the College and Career Guidance Initiative's statewide college and career planning tools.

This bill would additionally authorize those partnerships to include higher education offices, as provided. By expanding the allowable uses of an existing appropriation, the bill would make an appropriation.

(31) Existing law, for the 2022–23 fiscal year, appropriates \$1,300,000,000 from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998, as provided.

This bill would, for the 2023–24 fiscal year, appropriate \$1,960,500,000 from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998, as provided. The bill would authorize the Department of General Services to charge against either of those appropriations, the administrative costs, not to exceed \$15,000,000, incurred to implement the appropriation. By expanding the authorized uses of the \$1,300,000,000 appropriation referenced above, the bill would make an appropriation.

(32) Existing law appropriates \$600,000,000 from the General Fund to the department for allocation to certain school districts, county offices of education, and charter schools to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, as defined, including for freshly prepared onsite meals, as defined, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets, as specified. Existing law authorizes each eligible local educational agency to receive a base allocation of \$100,000, and then after those allocations are made, requires 50% of the remaining funds to be allocated proportionally to local educational agencies based on the number of reimbursable meals served in October 2021 by the local educational agency.



This bill, after the base allocations are made, but before any other allocation of remaining funds, would instead require \$15,000,000 to be available to local educational agencies for the purchase and installation of a commercial dishwasher, as provided. By expanding the uses of the above-described appropriation, the bill would make an appropriation. The bill would revise the definition of freshly prepared onsite meals, as specified.

(33) Existing law appropriates \$100,000,000 from the General Fund to the department for allocation, in consultation with the Department of Food and Agriculture, to local educational agencies to expend on implementing specified school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program, as provided. Existing law requires the State Department of Education, in consultation with the Department of Food and Agriculture, to develop eligibility criteria for California-grown, whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with appropriated funds, as provided.

This bill would revise the list of specified school best practices, as provided, that local educational agencies are authorized to expend those funds on, thereby making an appropriation, and would make a corresponding change to the eligibility criteria that the State Department of Education, in consultation with the Department of Food and Agriculture, is required to develop.

(34) Existing law, for the 2022–23 fiscal year, appropriates \$3,560,885,000 from the General Fund to the department to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation by the Superintendent to county offices of education, school districts, charter schools, and the state special schools, in accordance with a formula based on a per-pupil basis, as provided.

This bill would reduce that appropriation by \$1,173,910,000 to instead be \$2,386,975,000.

(35) Existing law appropriates \$250,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to local educational agencies meeting certain criteria for the Literacy Coaches and Reading Specialists Grant Program in order to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support, as provided. Existing law requires recipient local educational agencies to submit a report on how it used grant funds to the State Department of Education on or before June 30, 2027. Existing law also requires the Superintendent to provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature on the data submitted by local educational agencies.

This bill would revise and recast the reporting provisions by, among other things, requiring the recipient local educational agencies and the Superintendent to submit interim reports before the final reports, as provided. The bill would also require the Superintendent to submit the interim and final reports submitted by recipient local educational agencies to a certain selected entity to conduct an independent evaluation, as provided.

This bill would appropriate \$250,000,000 from the General Fund to the Superintendent to augment the Literacy Coaches and Reading Specialists Grant Program



to allocate moneys to eligible schoolsites, as defined, that did not receive moneys under the initial program to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support.

(36) This bill would appropriate \$100,000,000 from the General Fund to the State Department of Education for the 2023–24 fiscal year for allocation to local educational agencies to increase pupils' engagement with arts and cultural institutions, museums, and art enrichment experiences within California, as provided. The bill would allocate funds to local educational agencies based on the proportionate enrollment of Grade 11 public school pupils in the 2022–23 academic year and would require local educational agencies to provide all high school seniors in the 2023–24 academic year with access to arts and cultural enrichment experiences outside of normal school offerings, as provided.

(37) This bill would, on or before June 30, 2024, appropriate an amount to be determined by the Director of Finance from the General Fund to the Superintendent in augmentation of a certain item in the Budget Act of 2023. The bill would make these funds available only to the extent that revenues distributed to local educational agencies for special education programs from successor agencies are less than the estimated amount determined by the Director of Finance. The bill would require, on or before June 30, 2024, the Director of Finance to determine if the revenues distributed to local educational agencies for special education programs from successor agencies exceed the estimated amount reflected in the Budget Act of 2023 and, if so, would require the Director of Finance to reduce the specified appropriation in the Budget Act of 2023 by the amount of that excess.

(38) This bill would appropriate \$1,000,000 from the General Fund to the department to create, in consultation with the Executive Director of the State Board of Education, a Literacy Roadmap to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity, as provided.

(39) This bill would appropriate \$100,000 for the 2023–24 fiscal year to the Superintendent for allocation to the Sacramento County Office of Education to, in consultation with the executive director of the state board and the department, update distance learning curriculum and instructional guidance for mathematics in alignment with the state-adopted mathematics framework.

(40) This bill also would delete obsolete provisions, make conforming changes, and make technical changes.

(41) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(42) Certain funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.



(43) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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